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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.A. 159/2017**

ANIL DHAWAN

..... Appellant

Through: Mr. Jagjit and Mr. Naveen Kohar,
Advocates

versus

C B I

..... Respondent

Through: Mr. Rajesh Kumar, SPP with
Ms. Mishika Pandita, Advocate for CBI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **05.01.2024**

CRL.M.A. 506/2024 (for directions, by Appellant)

1. This is an application preferred on behalf of the Appellant seeking directions for release of the passport for the purpose of his travel to Toronto, Canada with an undertaking that the passport will be deposited back with the Registry within two days after returning to India.
2. Sentence of the Appellant was suspended by the Court and one of the conditions imposed while suspending was that the Appellant shall not leave the country without the permission of the Court. Appellant preferred an application being Crl. M.A. No.29412/2023 seeking permission of the Court to visit Canada as per the itinerary filed along with the application. Vide order dated 21.12.2023, this Court permitted the Appellant to travel to Toronto, Canada for a period of two weeks from 01.02.2024 to 15.02.2024 subject to various conditions enumerated in paragraph 5 of the said order.



However, there was no direction for release of the passport, which compelled the Appellant to file the present application.

3. Learned counsel for the Appellant submits that Appellant will not be able to travel unless the passport, which is lying deposited in this Court, is released as only then he will be able to apply for the visa for Canada and therefore, appropriate direction be passed for release of the passport.

4. Issue notice.

5. Learned SPP accepts notice on behalf of CBI.

6. I have perused the order dated 21.12.2023 by which Appellant was granted permission to travel to Toronto, Canada from 01.02.2024 to 15.02.2024, subject to conditions mentioned therein, which includes the condition that Appellant shall surrender his renewed passport before Court within 48 hours of his return to India and inform the IO accordingly. In view of this order, Registry is directed to release the passport to the Appellant on or before 08.01.2024 to enable him to travel in terms of the order passed by this Court on 21.12.2023.

7. Learned counsel for the Appellant, on instructions, undertakes that the condition imposed by the Court in the order dated 21.12.2023 will be duly complied with and the passport shall be deposited in this Court within 48 hours of return to India and information to this effect will be given to the IO.

8. Application is allowed making it clear that the release of the passport will be subject to the conditions mentioned in paragraph 5 of the order dated 21.12.2023.

9. Application stands disposed of.

JYOTI SINGH, J

JANUARY 05, 2024/kks/KA