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

+ CRL.A. 415/2018

NARESH KUMAR MATHUR

..... Appellant

Through: Mr.Krishan Kumar and Ms.Sunita
Arora, Advocates.

versus

STATE (C B I)

..... Respondent

Through: Mr.Ripu Daman Bhardwaj, Special
PP for CBI.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **04.05.2018**

Crl.M.A.No.8447/2018

1. Exemption allowed subject to all just exceptions.
2. Application is disposed of.

Crl.M.A.No.8446/2018

1. This an application moved by the appellant praying for early hearing of the Cr.M.A. No.8239/2018 seeking permission to visit abroad and also for release of his passport for renewal.
2. Mr.Krishan Kumar, learned counsel for the appellant submits that the passport of the appellant is going to expire on 05.05.2018. Today he is restricting his prayer to the extent that the passport may be returned to the appellant to enable him to get it renewed and he will redeposit the passport after its renewal.

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3. Mr.Ripu Daman Bhardwaj, learned Special PP for CBI has opposed the prayer on the ground that the passport was obtained by the appellant on the basis of fake documents.
4. Learned counsel for the appellant has filed a copy of the order dated 21.02.2013 (Annexure-A1 to the application) whereby prayer made by the appellant for renewal of the passport was allowed by the learned Trial Court. He complied with all the directions, subject to which the passport was released to him.
5. Presently the request of the appellant/applicant is for return of the passport for renewal, which is going to expire on 05.05.2018. The passport of the appellant is stated to be lying in the TCR, which has been requisitioned for purpose of hearing of the Crl.A.No.415/2018 filed by the appellant. Renewal of the passport is not going to cause any prejudice to the CBI as the request of the appellant for going to abroad is still pending consideration.
6. The prayer of the appellant/applicant for returning the passport for purpose of its renewal is allowed. The Registry is directed to return the passport to the appellant/applicant, subject to the following conditions:-
 - (i) A copy of the passport shall be retained on the appeal file.
 - (ii) The appellant/applicant shall file an undertaking to the effect that he will re-deposit the passport within one week from the date of its renewal.
7. Application is disposed of in above terms.
8. As prayed, copy of the order be given **DASTI** to learned counsel for the parties under the signature of Court Master.

PRATIBHA RANI, J.

MAY 04, 2018/ 'st'
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