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

+ CRL.A. 986/2013

P M SINGH

.....Appellant

Through: Mr. Pramod Kumar Dubey, Sr.
Advocate with Ms. Pinky Dubey, Mr.
Satyam Sharma, Mr. Ayush Sachan
and Ms. Muskan Sharma, Advs.

versus

CBI

.....Respondent

Through: Mr. Rajesh Kumar, SPP for CBI with
Ms. Mishika Pandita and Mohd.
Changez Ali Khan, Advocates.

+ CRL.A. 987/2013

P M SINGH

.....Appellant

Through: Mr. Pramod Kumar Dubey, Sr.
Advocate with Ms. Pinky Dubey, Mr.
Satyam Sharma, Mr. Ayush Sachan
and Ms. Muskan Sharma, Advs.

versus

CBI

.....Respondent

Through: Mr. Rajesh Kumar, SPP for CBI with
Ms. Mishika Pandita and Mohd.
Changez Ali Khan, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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24.07.2024

CRL.M.A. 21558/2024 in CRL.A. 986/2013

CRL.M.A. 21550/2024 in CRL.A. 987/2013

Mr. Pramod Kumar Dubey, learned senior counsel appearing for the appellant seeks leave to withdraw the present applications, submitting that since the appellant has made a fresh application seeking permission to travel, the FDRs deposited in these matters may



be retained by the Registry, towards the permission to travel that may be granted subsequently.

2. Accordingly, the applications are disposed-of as withdrawn.

CRL.M.A. 21461/2024 in CRL.A. 986/2013

CRL.M.A. 21554/2024 in CRL.A. 987/2013

3. By way of the present applications filed under section 482 of the Code of Criminal Procedure 1973 ('Cr.P.C.'), the appellant seeks release of her passport and the permission to renew it for a period of 05 years.
4. Mr. Dubey, learned senior counsel appearing for the appellant submits, that *vide* order dated 24.09.2013 the appellant's sentence has been suspended during the pendency of the present appeals. Mr. Dubey submits that *vide* order dated 20.10.2023, the appellant was also permitted to travel to the United States of America from 01.11.2023 to 01.04.2024; and there is no allegation that the appellant has misused the permission so granted.
5. Mr. Dubey argues, that however for reasons of policy, which are untenable in law, the respondent/CBI normally restricts the renewal of passports of under-trials/convicts to only 01 year, which only results in needless burden on the litigant as well as on the court of filing and deciding multiple applications seeking renewal of passports.
6. Mr. Dubey further submits, that the limited prayer in the present applications is that the appellant's passport be permitted to be renewed for a period of 05 years; and thereafter the appellant would in any case have to seek permission of this court to travel abroad separately.



7. Learned senior counsel places reliance on order dated 04.09.2023 made by Co-ordinate Bench of this court in CRL.A. No. 189/2022 titled ***Mahesh Kumar Agarwal vs. Central Bureau of Investigation*** and another order dated 22.05.2024 made by another Co-ordinate Bench of this court in CRL.A. No. 687/2017 titled ***Kailash Chand Samria vs. CBI & Ors.***, whereby, after considering various aspects of the matter, the Co-ordinate Benches have granted to the appellants in those cases permission for renewal of passports for the regular period of 10 years.
8. Mr. Dubey submits, that the appellants in the aforesaid 02 cases had also been convicted in matters investigated by the CBI; their sentences had been suspended; and the Co-ordinate Benches had permitted them to have their passports renewed for the regular period of 10 years, making it clear that the permission to renew the passport would not be construed as permission to travel abroad, for which separate applications would have to be filed.
9. Mr. Dubey submits that in the present case, the appellant is seeking renewal of her passport only for a period of 05 years.
10. Issue notice.
11. Mr. Rajesh Kumar, learned SPP appears for the respondent/CBI on advance copy *via* video-conferencing; accepts notice; and seeks time to take instructions.
12. However, considering the limited prayer made in the present applications and in view of the Co-ordinate Bench orders dated 04.09.2023 and 22.05.2024 cited on behalf of the appellant, this court does not consider it necessary to seek a formal response from the CBI.



13. Accordingly, the present applications are allowed; thereby granting to the appellant permission to have her passport renewed for a period of 05 years. To that end the Registry is directed to return to the appellant her passport, which is lying deposited with them, within 02 weeks; with a further direction to the appellant to re-deposit the passport with the Registry within 01 week of the passport having been renewed.
14. It is made clear that the grant of permission for renewal of passport would *not* be construed as permission to travel abroad; and the appellant shall remain bound by all the conditions of suspension of sentence as imposed *vide* order dated 24.09.2013.
15. The applications are disposed-of in the above terms.

CRL.M.A. 21552/2024 in CRL.A. 986/2013

CRL.M.A. 21553/2024 in CRL.A. 987/2013

16. By way of the present applications filed under section 482 of the Cr.P.C., the appellant seeks permission to travel abroad as per details set-out in these applications.
17. Issue notice.
18. Mr. Rajesh Kumar, learned SPP appears on behalf of the respondents/CBI *via* video-conferencing on advance copy; accepts notice; and seeks time to verify the details and file a status report/reply.
19. Let the status report/reply be filed within 04 weeks; rejoinder thereto, if any, be filed within 03 weeks thereto; with copies to the opposing counsel.
20. Re-notify on 17th September 2024.



21. These applications shall be considered subject to the renewal and re-deposit of the appellant's passport with the Registry, as directed above.

ANUP JAIRAM BHAMBHANI, J

JULY 24, 2024/V.Rawat