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

+ CRL.A. 65/2016

ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATIONRespondent

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

23

+ CRL.A. 883/2014

ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATION THROUGH ITS
DIRECTORRespondent

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

24

+ CRL.A. 1749/2014

ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATIONRespondent

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



25

+ CRL.A. 183/2015
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATIONRespondent

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

26

+ CRL.A. 184/2015
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

CENTRAL BUREAU OF INVESTIGATION THR. ITS DIRECTOR

.....Respondent

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

27

+ CRL.A. 628/2015
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

C B I

.....Respondent

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



28

+ CRL.A. 771/2015
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATIONRespondent

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

29

+ CRL.A. 376/2016
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATIONRespondent

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

30

+ CRL.A. 621/2016
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

THE CENTRAL BUREAU OF INVESTIGATION THR .ITS
DIRECTOR

.....Respondent

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



31

+ CRL.A. 904/2016
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent

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

32

+ CRL.A. 159/2017
ANIL DHAWAN

.....Appellant

Through: Mr. Bakul Jain and Mr. Amartya,
Advocates.

versus

C B I

.....Respondent

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

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

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22.09.2025

1. This hearing has been conducted through hybrid mode.

CRL.M.A. 22233/2025 (for renewal of passport) in CRL.A. 883/2014
CRL.M.A. 22235/2025 (for renewal of passport) in CRL.A. 1749/2014
CRL.M.A. 22249/2025 (for renewal of passport) in CRL.A. 183/2015
CRL.M.A. 22237/2025 (for renewal of passport) in CRL.A. 184/2015
CRL.M.A. 22239/2025 (for renewal of passport) in CRL.A. 628/2015



CRL.M.A. 22241/2025 (for renewal of passport) in CRL.A. 771/2015
CRL.M.A. 22243/2025 (for renewal of passport) in CRL.A. 376/2016
CRL.M.A. 22245/2025 (for renewal of passport) in CRL.A. 621/2016
CRL.M.A. 22247/2025 (for renewal of passport) in CRL.A. 904/2016
CRL.M.A. 22228/2025 (for renewal of passport) in CRL.A. 159/2017

2. The above-mentioned applications have been filed on behalf of the Appellant under Section 528 BNSS, 2023 seeking renewal of his passport with the following prayers:

*“i. Grant permission/NOC to the applicant to “depart from India” for a period of 10 years in terms of requirement of gazette notification No. GSR 570 dated 25.08.1993;
ii. Grant permission to the applicant get his passport bearing No. Y9841494 renewed for a period of ten years and direct the concern passport authorities to renew the passport, if in order, for a duration of ten years mentioning that the Appellant is permitted to depart from India during this period of 10 years;”*

3. Heard and perused the record.

4. Learned Counsel for the CBI has argued that the application of the Applicant/Appellant is liable to be dismissed, as the Applicant/Appellant has been convicted in eleven criminal cases, and there is a possibility of misuse of liberty.

5. Vide order dated 9th August, 2023, the Court has directed the Passport Authority to renew the passport of the Applicant/Appellant for a further period of two years from the date of expiry of one year. The relevant portion of the said order is extracted hereunder:

“22. The Passport Authority is directed to renew the passport of the applicant / appellant for a further period of two years from the date of expiry of one year.

*23. The judgment of **Ashok Khanna** (Supra), is taken on record.*



24. The concerned officer of this Court shall release the passport to the applicant for the purposes of applying to the Passport Authority for renewal of the validity in terms of the present order. The said passport shall be surrendered within two days to this Court immediately after the renewal is completed.

25. Nothing in this order shall tantamount to observations on the merits of the case.

26. The applications are disposed of in the above terms.”

6. Learned Counsel for the Applicant/Appellant has placed reliance on the order dated 10th September, 2025, regarding NOC to travel abroad, passed by the Co-ordinate Bench of this Court in W.P.(CRL) 1149/2025. The relevant portion of the said order is extracted hereunder:

“9. The Petitioner is not intending to travel abroad in the immediate future. The relief sought is confined to renewal of the passport, a document that serves not only as a travel instrument, but also as a primary form of identification. The Trial Court, by its order dated 29th January, 2025, has already discharged its limited judicial function by permitting renewal, while simultaneously preserving the bail condition that the Petitioner shall not leave the country without prior permission. This dual safeguard ensures that the liberty to travel remains firmly tethered to judicial oversight.

10. In this backdrop, the insistence of the Passport Authority on securing an “NOC to travel abroad”, as a precondition for the renewal of the passport, amounts to imposing an additional fetter unknown to law. Such an approach conflates two distinct legal stages, renewal of a passport and permission to travel, and in doing so, trenches upon judicial discretion. The Petitioner has, in any event, undertaken to seek prior leave of the Court before any foreign travel. In such circumstances, it is only after the renewal of her passport that the question of seeking permission to travel



abroad can arise, and any such travel shall remain subject to the satisfaction of the Court and submission of necessary documents such as visa, travel itinerary, and accommodation details.

11. It is well recognized that a passport is not only a travel document, but also a vital form of personal identification. Denial of its renewal, in the absence of a specific statutory embargo or violation of bail conditions, can have civil consequences wholly unrelated to the pendency of criminal proceedings.

12. In view of the above, this Court holds that the objection raised by the Passport Authority is unsustainable in law. The Respondents are, accordingly, directed to process the Petitioner's application for renewal of passport forthwith, in accordance with the Passports Act, 1967 and the rules framed thereunder. Needless to clarify, the Petitioner shall not leave the country without prior permission of the competent court, and any such request shall be considered on its own merits.

13. With the aforementioned direction, the petition is disposed of."

7. There is nothing on record on behalf of the Respondent that the Appellant has misused his liberty when previously granted permission to renew his passport and has been allowed to visit abroad.

8. Keeping in view the facts and circumstances of the case, the Passport Authority is directed to renew the passport of the Applicant/Appellant for a further period of two years, in accordance with the rules and regulations. It is only after the renewal of the passport that the question of seeking permission to travel abroad can arise, and any such travel shall remain subject to permission of the Court. In these circumstances, any insistence of the Passport Authority on securing an "No-Objection Certificate ('NOC') to travel abroad", would not arise as a precondition for the renewal of the passport of the Appellant. The



Appellant shall not leave the country without the permission of the Court. The Registry to release the passport to the Appellant and the Appellant shall re-deposit the same within a period of one week after its renewal.

9. With the aforesaid directions, the applications stand disposed of.

CRL.A. 65/2016, CRL.A. 883/2014, CRL.A. 1749/2014, CRL.A. 183/2015, CRL.A. 184/2015, CRL.A. 628/2015, CRL.A. 771/2015, CRL.A. 376/2016, CRL.A. 621/2016, CRL.A. 904/2016 & CRL.A. 159/2017

10. List the appeals on 22nd December, 2025.

RAJNEESH KUMAR GUPTA, J

SEPTEMBER 22, 2025/nd/abk