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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1396/2013**
SATYAJIT BISWASPetitioner
Through: **Mr.Saranjeet Singh, Adv.**
versus

COMMISSIONER OF POLICE & ANRRespondents
Through:

Mr.Sanjay Lao, Standing
Counsel (Crl.) with Ms.Priyam
Agarwal, Mr.Abhinav Kr. Arya,
Mr.Aryan Sachdeva, Advs.
Insp./SHO Yogendra Kumar,
PS-Pandav Nagar.
Ms.Mercy Hussain,
Mr.Saranjeet, Mr.Jayakumar R.
Nair, Mrs.Nividita Biswas,
Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

% **ORDER**
23.03.2026

CRL.M.A. 8796/2026

1. This application has been filed by the respondent no.2/applicant under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) read with Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C) seeking release of payment of Rs. 10 lacs along with accrued interest deposited by the petitioner in the Registry of this Court as a security. Also prayed for is the revocation of the passport of the petitioner.



2. In terms of the order dated 25.03.2014 passed in the present petition, the petitioner was directed to furnish a security of a sum of Rs. 10 lacs to honour his oral undertaking of coming back to India with the child. It was recorded as under:

“In view of the aforesaid, we permit the petitioner to take Ridhima to U.S.A. to get her admitted in some school there but with the condition that she has to be brought back to India after the expiry of six months period from the date she leaves the country. However, before that is actually done, petitioner shall pay a sum of Rs.5 lakhs to his wife and deposit with the Registrar General of this Court a further sum of Rs.10 lakhs as a security for honouring his oral undertaking which he has given today to this Court to come back to India along with his daughter. The amount of Rs.10 lakhs to be deposited by the petitioner shall be kept in a fixed deposit with UCO Bank, Delhi High Court Branch for a period of six months initially and to be renewed periodically for similar periods till the disposal of the petition. A written undertaking in the form of an affidavit shall be filed. In case petitioner does not come back to India along with his daughter, the amount of Rs. 10 lakhs shall be forfeited and this Court may consider revoking of the petitioner's passport. The petitioner's wife can communicate with her children by phone or through Internet facilities and the petitioner agrees to this.”

3. The same was then confirmed by this Court vide order dated 02.04.2014 as under:

“Let the written undertaking in the form of affidavit be filed by the petitioner in the Registry by tomorrow and the payment of security amount of rupees 10 lakhs can also be made by tomorrow in the Registry. Before leaving India the petitioner shall also submit



in the Registry his residential address in U.S.A. and from there he shall also inform his counsel as to in which school baby Ridhima has been admitted and the counsel in turn shall provide that information to the Court.”

4. Thereafter, the Writ Petition itself was disposed of *vide* judgment dated 10.10.2014. As far as Rs.10 lacs deposited by the petitioner was concerned, it was directed as under:

“12. The Court hereby further direct as follows:

xxx

iii) The direction contained in the orders of the Court requiring furnishing of bond of Rs.10 lakhs shall continue, and shall be subject to the final determination of the Guardianship Judge.”

5. The respondent no.2/applicant has filed the present application *inter alia* alleging therein that the petitioner has violated the undertaking given to this Court and did not bring the child back within six months to meet the respondent no.2. It is alleged that he did not even allow the child to communicate with the respondent no.2 either telephonically or *via* internet facilities.

6. To a pointed query as to the outcome of the Guardianship Petition, upon which further directions with respect to Rs.10 lacs deposited by the petitioner was dependent, the learned counsel for the respondent no.2/applicant fairly submits that the same was not pursued by either by the petitioner or the respondent no.2.

7. In view of the above, and as more than 11 years have passed from the date of our judgment, we do not deem it appropriate to entertain this application.



8. The application is accordingly dismissed, however, liberty is granted to the respondent no.2 to avail of her remedies in accordance with the law.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

MARCH 23, 2026/Arya/ik