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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 26th May, 2023*+ **W.P.(C) 6792/2021****SHAM NATHURAM YENPURE & ORS. Petitioners**

Through: Ms. Jaya Bajpai, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Mr Harish Vaidyanathan Shankar
CGSC with Mr Srish Kumar Mishra
Mr Sagar Mehlawat and Mr
Alexander Mathai Paikaday,
Advocates (M: 9810788606).**CORAM:****JUSTICE PRATHIBA M. SINGH****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The Petitioners in the present case are five Indian citizens who are seafarers and had sailed in a cargo vessel "MV Artin 10" to Iran. They were taken into custody by the Iranian authorities on allegations of conspiracy to smuggle narcotics in deep sea. The Petitioners continued to remain in Iran and were not being released. The present petition was then filed by the family members of the sea farers.
3. This Court has heard this matter from time to time and status reports were also called for. On 19th December, 2022, the statement of the Id. Counsel for the Respondent was recorded that the prison report by the Iranian authorities was awaited and upon the same being issued, the Indian mission in Tehran, Iran would take all the necessary steps.
4. Thereafter, vide order dated 28th February, 2023, emails were directed to be sent to the Iranian embassy in New Delhi as also the orders

were directed to be communicated to the Joint Secretary, Ministry of External Affairs.

5. An affidavit has now been filed by the Respondent stating as under:

“ The following are the current status of the "ARTIN-10":

a. In response to Embassy of Iran's Note Verbale No. Teh/Cons/411/02/2020-68 dated 18th December, 2022, Iranian Ministry of Foreign Affairs vide its Note Verbale No. 725/1459902 dated 10th January, 2023 communicated that Mr. Aniket Sham Yenpure, Mr. Mandar Milind Worlikar, Mr. Naveen Singh, Mr. Pranav Kumar and Mr. Thamizselvam Rengasamy attend the office of the General and Revolutionary Prosecutor of Chabahar in person to resolve the issue.

b. On representation by Mr. Siavash Ashrafi, lawyer of the five Indian seafarers in the Chabahar Court on 25th February, 2023, the Court directed all five Indian seafarers to appear in person before the Court for resolving the matter.

c. In pursuance to the Court's direction, Second Secretary (Consular), Embassy of India, Tehran along with the five Indian Seafarers and their lawyer traveled to Chabahar on 5th March, 2023. The five Indian seafarers and their lawyer appeared before the Konark Court. The Court recorded statement of the five Indian seafarers and forwarded the same to the Chabahar Court. The Prison report was issued by the Chabahar Court, which was subsequently submitted to the Immigration authorities of Iran.

d. Exit visas were issued by the Iranian Immigration authorities to five Indian seafarers on 15th March, 2023 and on request by these five seafarers on 15th March, 2023 for assistance in providing air passage to India, Embassy of India, Tehran booked air tickets for their return to India.

e. All five of them departed from Tehran to Mumbai on 24th March, 2023. After reaching Mumbai, Mr. Aniket

Sham Yenpure vide email dated 25th March, 2023 confirmed that all five of them reached India (Mumbai) safely.”

6. A perusal of the above affidavit would show that the Indian Consulate have followed up with the Iranian authorities and the five sea farers were issued exit permits by Iran. Today, Id. Counsel for the Petitioner submits that all the five seafarers have returned to India and the present writ petition is satisfied.

7. In view of the fact that the India seafarers have returned to India, no further orders are called for in this matter.

8. The present petition along with all pending applications is disposed of.

**PRATHIBA M. SINGH
JUDGE**

MAY 26, 2023

mr/kt

