

GAHC010173672024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(CrI.)/810/2024

DIBYAJYOTI DATTA
S/O SRI PRAFULLA CHANDRA DUTTA, R/O NILGIRI LANE, BAGHARBARI,
SATGAON ROAD, PANJABARI, GUWAHATI, ASSAM, PIN-781037,
PRESENTLY AT 10 THIRUVENGADAM STREET, ADYAR, CHENNAI, TAMIL
NADU, PIN-600020

VERSUS

THE CENTRAL BUREAU OF INVESTIGATION
REPRESENTED BY THE SPECIAL PUBLIC PROSECUTOR, C.B.I.

Advocate for the Petitioner : MR S BORTHAKUR, MR SAURADEEP DEY

Advocate for the Respondent : SC, CBI,

Linked Case : CrI.Pet./617/2024

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Advocate for : MR S BORTHAKUR
Advocate for : SPL. PP
C.B.I. appearing for THE CENTRAL BUREAU OF INVESTIGATION

BEFORE
HONOURABLE MRS. JUSTICE MITALI THAKURIA

ORDER

Date : 10.09.2024

Heard Mr. J. Abbas, learned counsel for the applicant/ petitioner. Also heard Mr. M. Haloi, learned Standing Counsel, CBI for the respondent.

2. This is an application praying for modification of the order dated 28.06.2024, passed by this Court in Crl. Pet. No. 617/2024, whereby the applicant/petitioner was allowed to travel to United States of America for the period from 25.08.2024 to 25.09.2024.

3. It is submitted by Mr. Abbas, learned counsel for the applicant/petitioner, that the applicant/petitioner received the certified copy of the order on

29.06.2024 and accordingly applied for renewal of his Passport on 04.07.2024, which was finally renewed on 09.08.2024 and delivered to him on 13.08.2024. Thereafter applicant/petitioner could book the tickets for United States of America after renewal of his Passport, but because of very short window between 13.08.2024 and 25.08.2024, the price of the tickets were extremely high and the same was not affordable on the part of the applicant/petitioner and in such circumstances, the present application has been filed this application for modification of the order dated 28.06.2024 to the extent of permitting the applicant/petitioner to travel to United States of America in between 14.10.2024 to 14.11.2024. The applicant/petitioner also annexed a copy of the renewed Passport along with the application.

4. Mr. Haloi, learned Standing Counsel, CBI submitted in this regard that the CBI has no objection in the event of extending the time or modifying the order dated 28.06.2024, passed by this Court in Crl. Pet. No. 617/2024. However, he submitted that the same terms and conditions may be imposed in the modified order and the applicant/petitioner may be directed to comply with the same.

5. After hearing the submissions made by the learned counsels for both sides, the present anticipatory application is allowed and the order dated 28.06.2024, passed in Crl. Pet. No. 617/2024, is hereby modified to the extent that the applicant/ petitioner is allowed to travel abroad, i.e. United States of America, for the period from 14.10.2024 to 14.11.2024.

6. Accordingly, the petitioner shall give the details of his itinerary, his address, phone number and contact details to the concerned Court as well as

the Investigating Officer and will immediately report to the Investigating Officer on his return from United States of America. Further, the petitioner shall execute a personal bond of Rs. 40,000/- (Rupees forty thousand) only before the learned Special Judge, CBI, Assam, Guwahati. On his return from United States of America, the petitioner shall deposit his passport before the learned Special Judge, CBI, Assam, Guwahati. Further, the petitioner is allowed to visit abroad/United States of America only for the period, as stated above, and immediately on 14.11.2024 he will report before the Investigating Agency, i.e. the CBI.

7. This order shall be read as a part of the order dated 28.06.2024, passed in Crl. Pet. No. 617/2024.

8. With the above observation, this interlocutory application stands disposed of.

JUDGE

Comparing Assistant