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

+ W.P.(CRL) 896/2016

SANJAY

..... Petitioner

Through: Ms. Sangita Bhayana, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Gaurav Rohila, Adv. for R-1.

Mr. Harpreet Singh, Sr. Standing
Counsel with Ms. Namrata Bharti,
Adv. for R-2.

Ms. Richa Kapoor, ASC for State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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14.12.2016

During the course of hearing, learned counsel for the petitioner submits that the only relief pressed in this writ petition at this stage is regarding quashing of Lookout Circular (LOC) dated 22nd September, 2015 issued by the respondent no.3.

Learned counsel for the respondent no. 1 submits that LOC was issued by the respondent no.3 on the request of respondent no.2 and respondent no.1 has nothing to do in the matter of issuance of LOC.

Respondent no. 3 has filed affidavit of Foreigners Regional Registration Officer (FRRO) stating therein that LOC No. 2015416279 was opened against the petitioner on the request of Deputy Commissioner of

Customs (respondent no.2 herein) vide its letter C. No. VIII (AP)48/OP/LOC/743/1104-D/2015-16766 dated 22nd September, 2015. This LOC was opened in accordance with directions of Ministry of Home Affairs as contained in Office Memorandum No. 25016/31/2010-Imm dated 27.10.2010.

Respondent no.2 has also filed counter affidavit stating therein that LOC against the petitioner was opened since on 18th April, 2015 he was apprehended by the officials of customs at IGI Airport while he was attempting to smuggle 1200 gm gold without declaring the same to the proper officer. In his statement, he confessed that he was acting as a carrier against the payment of ₹45,000/-. In view of this conduct of the petitioner, LOC was opened to keep a tap on his movements and activities. It is further stated therein that as per the prevailing guidelines of Ministry of Home Affairs, LOC is opened against the accused/petitioner for one year during which period his movements are closely analysed. Once the activities of the accused are found satisfactory during the said period then LOC against the said accused is revoked.

During the course of hearing, learned counsel for the respondent no.2 has submitted that instructions have been taken from the respondent no.2.

The movement of the petitioner has not been found suspicious during the last one year, therefore, no order has been passed for extending the period of LOC nor such action is contemplated as of now.

For the foregoing reasons, it is observed that LOC against the petitioner stands revoked. Writ petition is disposed of.

A.K. PATHAK, J.

DECEMBER 14, 2016

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