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

+ W.P.(C) 6401/2017

SANDEEP RAYAT

..... Petitioner

Through: Mohd. Imran, Advocate.

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr Anil Soni, CGSC with Mr Naginder Benipal, Ms Priyanka Singh, Mr Nivesh Sharma, Advocates for R-1 & R-2 with Mr Satvinder Singh, in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **02.08.2017**

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued for release of Ms Sakina Mirzajonova who is presently lodged in the deportation camp, Nirmal Chhaya, Delhi. The learned counsel for the petitioner submits that the petitioner had attempted to voluntarily leave the country, however, was prevented from doing so. He also submits that instructions dated 05.07.2017 were issued by the Ministry of Home Affairs, which permitted Ms Sakina Mirzajonova to leave the country. He submits that in the circumstances, Ms Sakina Mirzajonova could not be detained by the respondent.

2. Mr Soni, learned counsel for the respondent states that there was LOC issued against Ms Sakina Mirzajonova and despite being black listed she had

illegally entered the country through Nepal twice. He states that in the circumstances, FRRO, Delhi was required to conduct an inquiry and, therefore, the exit permit relating to Ms Sakina Mirzajonova had been kept in abeyance. He further states that the inquiries are almost over and the concerned authorities shall ensure that Ms Sakina Mirzajonova leaves this country within a period of 10 days from today. The learned counsel for the petitioner states that she be permitted to leave the country voluntarily instead of being deported; this request would also be considered by the authorities and if permissible Ms Sakina Mirzajonova would be permitted to leave the country voluntarily without the process of deportation.

3. The learned counsel further states that Ms Sakina Mirzajonova is on the family way and does require medical assistance. In the event, Ms Sakina Mirzajonova wants to visit a doctor or any hospital the respondent shall provide the necessary assistance to her for visiting any doctor of her choice. However, it is clarified that the medical bills will be paid by Ms Sakina Mirzajonova and not by the respondents.

4. The petition is disposed of with the aforesaid directions.

5. Order *dasti*.

VIBHU BAKHRU, J

AUGUST 02, 2017
MK