

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 768 of 2018**

- Sumit Bhandari S/o Balkrishna Bhandari Aged About 29 Years R/o New Amapara, Abedkar Road, Police Station Mohan Nagar, District Durg Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Hasaud District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	:	Mr. Goutam Khetrapal, Advocate
For Respondent	:	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****31/07/2018**

1. Heard on IA No. 1 for condonation of delay in filing the revision.
2. For the Reasons mentioned in the application, the same is allowed.
Delay of 55 days in filing the revision is condoned.
3. Also Heard on admission.
4. This revision has been preferred against the order dated 01-02-2018 passed in ST No. 183/2015 passed by 2nd Additional Sessions Judge, Sakti, District Janjgir Champa, whereby, learned Court below has rejected the supurdnama application of the applicant.
5. Shri Goutam Khetrapal Counsel for the petitioner submits that it is the case where the original passport belonging to the present applicant and

passport of some other persons have been seized by the police authority in connection with Crime No. 107/2015 registered at police station Hassaud District Janjgir-Champa. Whereby, the accused person has been prosecuted for the offence punishable under Section 370 (3)/34 of the IPC. He further submits that passport of the applicant has been seized by the police authority from the possession of the main accused who have assured the present applicant and the other villagers of taking them abroad for employment and the present applicant has not committed any offence nor he is accused in any case. He further submits that the applicant has moved an application for releasing of his original passport so that he can explore the possibility of better employment abroad in future, but the same was rejected by the learned Court below. He further submits that the applicant is ready for any sort of undertaking, that shall be put by the Court for releasing his passport. He further submits that the trial is also progressing at a slow pace and therefore no fruitful purpose would be served if the passport remain in custody of the Police Authorities.

6. However, State counsel opposes the instant revision and submits that the documents may be required during the course of evidence for exhibiting the same which has been seized during the course of investigation. Therefore, the applicant do not entitled for any relief they have sought for.
7. Having considered the rival contentions put forth by the counsel for the parties and on perusal of the record, this Court is on the opinion that the present applicant is not accused in any case and the passport which

have been seized is not fake and fabricated and is genuine, as of now the applicant should not be deprived of the opportunity of seeking for an employment overseas and even for going personal purpose or otherwise.

8. Accordingly, it is directed that the present applicant upon furnishing attested photo-copy of the original passport and a bond of Rs. 50,000/- with one surety, he shall be entitled for getting the original passport. In addition, the Court below may also put any other conditions which according to it would be necessary for the purpose of ensuring that the documents can be produced as and when required during the course of trial.
9. With the aforesaid observations, the instant revision is allowed and stands disposed of.

Sd/-

(Arvind Singh Chandel)
Judge