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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(CRL) 3148/2019 and CRL.M.A. 39958/2019

SALISU ABUBAKAR SADEEQ Petitioner

Through: Mr.R.A. Worso Zimik (Mobile
9818977519) and Mr.Soreishang
Kharay, Advs

versus

UNION OF INDIA & ORS Respondents

Through: Mr.Virender P.S. Charak, Sr. Panel
Counsel with Mr. Anshuman, Adv
and Mr.Shreyas Jain, Mr.Pushpender
Singh Charak, Ms.Shubhra Parashar,
Advs with Mr.Shailendra from
FRRO, Delhi

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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20.11.2019

Today learned counsel for the FRRO has handed over a fresh Certificate dated November 18, 2019 issued by Noida International University which states that the petitioner had fulfilled the required eligibility of attendance for the semester examinations.

It is pertinent to mention that the present writ of habeas corpus has been filed by the petitioner seeking an order to restrain the respondents from deporting him and to release him.

The case of the petitioner is that on 17th September, 2018, the petitioner was given admission in B.Sc. (IT) at School of Sciences, Noida

International University, Greater Noida, Gautambudh Nagar (U.P). The petitioner came to India on Student Visa on 13th November, 2018.

It is averred in the petition that on 26th June, 2019, the petitioner made a verbal complaint to the local police against some local boys who tried to snatch his mobile phone and assaulted his Zimbabwean friend. It is the case of the petitioner that the police instead of helping the petitioner, took him into custody and later handed him over to respondent No. 3 who in turn sent him to the Foreigners Deportation Camp through respondent No. 2 on 28th June, 2019.

The petitioner admits that on 15.10.2019, he applied for extension of his Visa which was denied and he was informed that he could take timely exit on or before November 7, 2019.

Since the petitioner's Visa has expired, we dispose of the present writ petition by directing that the petitioner shall apply for a fresh Visa within a week. The respondents are directed to dispose of the petitioner's new application for Visa in accordance with law, by way of a reasoned order, within a period of two weeks thereafter.

To enable the filing of the Visa application, it is directed that the petitioner shall be set free forthwith on the condition that the petitioner shall appear once a week before Insp. Ajay I/C I.M. Cell, FRRO, Delhi (Mobile: 9015620206) till his Visa application is decided.

Mr. R.A. Worso Zimik, learned counsel appearing on behalf of the petitioner, states that he would accept any summons or notice on behalf of the petitioner. The undertaking given by the learned counsel for the petitioner is accepted by this Court and the petitioner is held bound by the same.

With the aforesaid direction, present petition and application stand disposed of.

Order *dasti* under the signature of Court Master.

MANMOHAN, J

SANGITA DHINGRA SEHGAL, J

NOVEMBER 20, 2019
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