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

+ CRL.M.C. 617/2018 and Crl. M.A. no. 2240/2018

JYOTSNA BHUCHAR

..... Petitioner

Through

Counsel appeared but attendance slip
not given

versus

STATE & ANR

..... Respondents

Through

Mr. Mukesh Kumar, APP with SI
Anita Rani, Crime Branch
Ms. Neela Gokhale, Mr. Ilam Paridi
and Ms. Shradha Agarwal, Advs. for
respondent no. 2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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05.02.2019

Grievance of the petitioner is that vide impugned order dated 22nd December, 2017 passed in C.R. No. 497/2017 learned Additional Sessions Judge has reviewed his earlier order dated 24th October, 2017 passed in Crl. Revision Petition no. 456/2017.

I do not find any force in this contention of learned counsel for the petitioner. Earlier, an application was filed by the petitioner for seeking permission to visit Dubai and South Africa and also for changing his address from Chandigarh to Pune. Learned Metropolitan Magistrate vide order

dated 10th October, 2017 allowed the said application with certain conditions. Petitioner preferred a Revision Petition, which was disposed of vide order dated 24th October, 2017. Learned Additional Sessions Judge set aside the order passed by the learned Metropolitan Magistrate. A perusal of the order dated 24th October, 2017 passed by the learned Additional Sessions Judge makes it clear that no discussion was made with regard to change of address from Chandigarh to Pune. The only ground, on which impugned order was set aside, was with regard to the permission sought by the petitioner to visit Dubai and South Africa. This is clear from the perusal of para 33 of the said order, which reads as under:-

“33. Considering the order passed by the Ho’ble Supreme Court on 24th August, 2015 and again considering the order passed by the Hon’ble Supreme Court on 4th September, 2017, it appears to this court that the accused has not made a good case for giving him permission to travel abroad to Dubai and South Africa. More so when there is no documentary evidence to suggest necessity or urgency for his visit abroad.”

Subsequently, application was filed by respondent no. 2 for travelling to Dubai and South Africa. At that time, supporting documents were also filed. However, learned Metropolitan Magistrate dismissed the application,

vide order dated 1st November, 2017. Respondent no. 2 challenged this order of learned Metropolitan Magistrate by filing a Revision Petition bearing no. CR No. 497/2017 titled Mansher Singh Ghumman vs. State of NCT of Delhi. Revision petition was dismissed by the learned Additional Sessions Judge. In the second application, change of address from Chandigarh to Pune was not an issue. I do not find any force in this contention of learned counsel for the petitioner that in the subsequent Revision Petition, learned Additional Sessions Judge has reviewed the earlier order passed in different Revision Petition.

For the foregoing reasons, petition is dismissed. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

FEBRUARY 05, 2019
r.bararia