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

+ **CRL.REV. P. 528/2019**

**DEPUTY DIRECTOR, DIRECTORATE OF
ENFORCEMENT**

.....Petitioner

Through: Mr. Amit Mahajan, CGSC with
Mr. Nitesh Rana, SSP, ED

versus

ANOOP KUMAR GUPTA

.....Respondent

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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02.05.2019

CRL.M.A.9488/2019 (Exemption)

Allowed subject to all just exceptions.

CRL.REV. P. 528/2019 & CRL.M.A. 9488/2019

Learned Standing Counsel for petitioner assails the impugned order of 25th April, 2019 vide which the court concerned has granted permission to respondent for travelling to Bodrum, Turkey from 3rd May, 2019 to 8th May, 2019 for attending the marriage ceremony of his relatives, alongwith his family members. It is noted that in the impugned order copy of the invitation was also annexed with the application.

Reply to the application seeking permission to go abroad was filed by petitioner before the concerned court. It is also noted in the impugned order that respondent had travel abroad on four occasions earlier and had returned back on time. However, a legal question is sought to be raised by

Standing Counsel for petitioner. It is submitted that in the instant case, complaint has not been filed and copy of ECIR (*Enforcement Cast Information Report*) in question has not been sent to the court and so, the court concerned does not have jurisdiction to entertain respondent's application. It is submitted that in a case where complaint is not filed, to seek permission to go abroad, a writ petition under Article 226 of the Constitution of India has to be filed.

Upon hearing, I find that the permission granted to the respondent to travel abroad is justified and the legal question raised in this petition, is left open to be concerned in an appropriate case.

This petition and application are accordingly disposed of.

(SUNIL GAUR)
JUDGE

MAY 02, 2019

v