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

+ CRL.M.C. 5542/2017

ROZIYAJON RAHIMOVA

.....Petitioner

Through: Mr. Prashant Mendiratta and Ms.
Poonam Mendiratta and Mr. B.
Venkatraman, Advocates

Versus

THE STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor for respondent-
State with SI Rajdeep Singh and
ASI Padma Kumar (FRRO)

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

19.02.2019

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Petitioner is facing trial in FIR No.406/2014 under Sections 420/467/468/471 of IPC and Section 14 of *the Foreigners Act* as it was found that she is carrying a passport with forged Visa.

Petitioner had made an application to trial court for release of her passport for regularizing her stay in India by applying for an 'X-Visa'. The said application has been declined by trial court vide order of 1st November, 2017. Revisional Court vide order of 13th December, 2017 has maintained trial court's order by observing that the passport being the case property cannot be returned.

Learned counsel for petitioner submits that return of passport is not sought by petitioner. It is submitted that what is sought by petitioner is that petitioner's stay in India for facing trial of this FIR case be

regularized by grant of 'X-Visa'.

Learned Additional Public Prosecutor, on instructions, submits that petitioner can apply online for 'X-Visa' and if petitioner's passport is required for the said purpose, then the Investigating Officer of this FIR case shall furnish petitioner's passport to the Foreigners Regional Registration Office (FRRO), so that petitioner's stay in India can be regularized for the purpose of facing trial in the FIR case.

Learned counsel for petitioner submits that the online application for 'X-Visa' would be made by petitioner within a week from today. If it is so done, then the Investigating Officer is required to produce petitioner's passport before FRRO, if required, so that an 'X-Visa' is granted to petitioner in order to regularize her stay in India to face trial in this FIR case.

With aforesaid observations, this petition is accordingly disposed of.

Dasti to learned counsel for petitioner.

(SUNIL GAUR)
JUDGE

FEBRUARY 19, 2019

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