

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 998 of 2022

Indu Dewan

....
Petitioner
Mr. A.K. Singh, Advocate

-Versus-

Republic of India

....
Opposite Party
Mr. Sidhartha Naik, Standing Counsel for CBI

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
26.08.2022

Order No.

04.

1. Heard learned counsel for the petitioner and learned Standing Counsel for C.B.I.
2. The present petition under Section 482 Cr.P.C. has been filed by the petitioner challenging the order dated 21st February, 2022 passed by the Additional District and Sessions Judge, Bhubaneswar in Criminal Revision No.31 of 2021 as at Annexure-5 confirming the order of the learned Special C.J.M., (C.B.I.), Bhubaneswar dated 31st March, 2021 in SPE No.42 of 2014, whereby apart from other relief, the prayer for release of her Passport to ensure its renewal was rejected.
3. Perused the impugned order at Annexure-5.
4. Learned counsel for the petitioner submits that since the prayer of the petitioner for release of her passport for its renewal was declined, the petitioner moved the learned Additional District and Sessions Judge, Bhubaneswar in Criminal Revision No.31 of 2021 but then, it did not interfere in the matter and ultimately the order

of the court of first instance was confirmed, against which, the present CRLMC is filed.

5. Mr.Sidhartha Naik, learned Standing Counsel for C.B.I. submits that one of the conditions vis-à-vis the Passport of the petitioner as per the direction of the Hon'ble Supreme Court is that he has to surrender it before the trial court subject to certain conditions. It is submitted that the further condition is that petitioner should not attempt to leave the country without the permission of the trial court. It is also claimed that if the Passport is handed over to the petitioner, she may leave the country and may not return and trial of the case may be affected as result and therefore, if at all the Court is inclined to allow such prayer, the Passport after its renewal shall be handed over to the C.B.I. or to directly to the trial court.

4. Having heard the submissions of the learned counsel for the parties, the Court is of the considered view that the Passport of the petitioner should be renewed because its validity to lapse or expire in near future. Therefore, it is directed that the Passport of the petitioner be renewed and after the process of renewal is over, the custody of the same shall be handed over to the concerned trial court positively which would serve the purpose.

7. Accordingly it is ordered.

8. With the above direction, the CRLMC stands disposed of.

(R.K. Pattanaik)
Judge