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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 3503/2024**

ZAKIR KHANPetitioner
Through: Mr. Deepak Gandhi,
Mr. Ricky Chaudhary &
Ms. Lalitha Ramani,
Advocates

versus

DIRECTORATE OF REVENUE
INTELLIGENCERespondent
Through: Mr. Satish Aggarwala, Sr.
Standing Counsel with
Mr. Gagan Vaswani &
Mr. Mukesh Kumar,
Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
22.10.2024

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1. Mr. Satish Aggarwala, learned Standing Counsel, at the outset, on instructions, submits that the condition in regard to deposit of the passport can be modified.
2. Mr. Deepak Gandhi, learned counsel for the petitioner, on instructions, submits that if the passport of the petitioner is released, the petitioner will not be pressing for other reliefs.
3. It is undisputed that except for the proceedings under the passport Act, the police, court or other authorities ought not to pass an order which will have the effect of impounding the passport. In any case, the learned Trial Court has imposed a condition that the petitioner will not leave the country without the permission of the Court, therefore any condition for deposit of the passport, in the opinion of this Court, is not required.



4. In view of the above, the present petition is allowed to the extent that the passport of the petitioner is directed to be forthwith returned to the petitioner. It is, however, made clear that the petitioner in case wishes to leave the country, has to file appropriate application before the learned Trial Court. All questions of law are left open.

5. The petition is disposed of in the aforesaid terms.

6. The date already fixed, that is, 10.12.2024, stands cancelled.

AMIT MAHAJAN, J

OCTOBER 22, 2024

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