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

+ **W.P.(CRL) 1063/2022 & CRL.M.A. 8907/2022**

HARDEEP JASSAL ALIAS KALA Petitioner

Through: Ms. Sarika Gupta, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr. Sanjeev Bhandari, ASC for the
State with Ms. Anvita Bhandari, Mr. Kunal Mittal,
Mr. Arjit Sharma and Mr. Vaibhav Vats,
Advocates with SI Prashant, PS: IGI Airport.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

18.03.2024

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1. This writ petition has been filed on behalf of the Petitioner seeking the following relief:-

“i. Quash order dated 31.8.2012 Annexure P8 passed by ACMM-01: Dwarka in case FIR no 428 dated 31.7.2005 registered in Police Station IGI Airport under sections 420, 468, 471, 120-B IPC and section 12 of the Passport Act but charge sheeted vide order dated 3.3.2008 (Annexure P3) u/s 120-B, 420/120-B and 471/120-B IPC;”

2. Status report has been filed. On 22.02.2024, this Court had recorded the submission of the learned ASC for the State that before any further instructions are taken by him, it is imperative that the Petitioner files an affidavit before this Court disclosing the date and destination of his travel including the details of passport and/or any other complaints lodged by him regarding the alleged loss of his passport as well as intended date of travel back to India.

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3. The order was passed in the backdrop that the counsel for the Petitioner had expressed that the Petitioner desires to come back to India and may be permitted to do so. Learned ASC had rightly pointed out that unless the required details are given, no further order in this regard can be passed.

4. Learned counsel for the Petitioner fairly and candidly submits that she has been unable to file an affidavit in terms of the order dated 22.02.2024 as no instructions are forthcoming from the Petitioner.

5. Looking at the reliefs sought in the main petition and considering the fact that there are no instructions being received from the Petitioner, it appears that the Petitioner is not acting *bona fide*. The conduct of the Petitioner in attempting to conceal details of his dates of travel or alleged loss of passport shows that he has no intention to come back to India. Thus, the relief sought cannot be granted. Petition is accordingly dismissed along with the pending application.

JYOTI SINGH, J

MARCH 18, 2024/shivam

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