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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 981/2024**

QADIR AHMED

.....Petitioner

Through: Mr. Umair A. Andrabi, Mr. Dilwar Hussain Barlaskar, Mr. Naseer Husain Jafri and Mr. Uzair U. Khan, Advocates.

versus

GOVERNMENT OF NCT DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State with SI Umesh Yadav, PS IGI Airport.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
28.08.2024

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CRL.M.A. 22424/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.A. 22425/2024 (delay)

3. The application under Section 482 CrPC has been filed on behalf of the petitioner for condonation of delay of 3 days in refilling the Petition.
4. Issue notice.
5. Ms. Richa Dhawan, learned APP accepts notice on behalf of the State.
6. For the reasons stated in the application, the delay of 3 days in refilling the accompanying Petition is condoned.



7. The application is allowed and disposed of accordingly.

CRL.REV.P. 981/2024 (under Section 397 read with Section 401 of CrPC filed by the petitioner against the impugned Order dated 04.4.2024)

8. The Criminal Revision Petition under Section 397 read with Section 401 of CrPC has been filed on behalf of the petitioner against the impugned Order dated 04.04.2024 vide which the petitioner has been sentenced under Section 14 of Foreigner's Act and has been sentenced for the period already undergone. However, the grievance is against the directions given by the Court in the impugned Order dated 04.04.2024 that "the convict is directed to appear within seven days before the FRRO, Delhi Office with the Order for deportation proceedings." It is submitted that the deportation proceedings is the administrative function and the Court cannot be issuing any directions for the deportation proceedings. Hence the said condition is sought to be modified.

9. Learned APP for the State has vehemently argued that these directions have been given in consonance with the Jail Manual and the Standing Notification of the FRRO. It is in accordance with law and does not need any modification.

10. **Submissions heard.**

11. It has been rightly submitted that the Court, in the Order on Sentence, cannot be directed for the deportation proceedings to be undertaken. The said condition is modified to the extent that the convict shall appear before the FRRO within seven days of the order today. The copy of the Order along with the Order on sentence be also forwarded to the FRRO for the intimation.



12. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

AUGUST 28, 2024/RS