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

+ **CRL.M.C. 8498/2023 and CRL.M.A. 6502/2024**

BHANU SHARMA

..... Petitioner

Through: Mr.Aditya Dhawan, Mr.Sourav Duggal
and Mr.Sidhant Shekhar, Advocates with
petitioner in person

versus

STATE THROUGH NCT DELHI & ANR.

..... Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Suraj Kumar

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

11.03.2024

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1. By way of present petition filed under Section 482 Cr.P.C., the petitioner seeks to assail the order dated 27.09.2023 passed by the learned MM, whereby his application seeking permission to travel abroad came to be dismissed. The said order was also assailed before the Sessions Court by way of Criminal Revision No. 549/2023 however, the said challenge did not find favour with the Sessions Court.

2. Learned counsel for the petitioner submits that the petitioner has joined the investigation. He claims that prior to the registration of the FIR, the petitioner was employed with *M/s Tabber Alsalem Project Management Services* in Dubai, United Arab Emirates. He submits that the company has still offered employment contract to the petitioner and in case he does not accept the offer, great harm would be caused to him. He submits that the petitioner volunteers to deposit a sum of Rs.3 lacs as surety in the name of



Registrar General of this Court before leaving and a further sum of Rs.2 lacs within a period of three weeks of his joining the said job. The petitioner further undertakes to join the trial as and when the chargesheet is filed. Learned counsel for the petitioner also submits that an undertaking in the form of an affidavit has been filed to the said effect.

3. Learned APP for the State has handed over a copy of the status report, which is taken on record. As per the status report, the employment contract offered to the applicant has been verified. He submits that the chargesheet is likely to be filed within two weeks from today. He further submits that the petitioner came to be arrested after Look Out Circular (‘LOC’) was opened.

4. It is informed that the petitioner’s mother has stood surety for him. It is also submitted that the present case relates to the cheating of Rs.30 lacs. It has been further stated that one *Mr. Sunil Khurana* is the main accused in the present matter and it is only in his disclosure statement that the name of the petitioner has surfaced. As per the admitted case of prosecution, the petitioner neither held out any inducement nor did he ever meet the complainant. Further, there are no allegations that any cheated amount has travelled to the petitioner.

5. Indisputably, prior to the registration of the FIR, the petitioner was employed with the said company in Dubai and further, the fresh employment contract has also been verified

6. Considering that the petitioner has filed an undertaking that he would appear before the trial court as and when the chargesheet is filed and he is summoned, the petitioner is permitted to travel to Dubai for the purpose stated hereinabove. However, the same shall be subject to his submitting his itinerary with the Investigating Officer. The subsequent permissions, if any,



be taken from the concerned trial court. The petitioner shall also provide his mobile number as well as contact details at which he would be available. The I.O. shall ensure that the LOC opened earlier stands suspended/withdrawn.

7. In view of the above, the petition is disposed of alongwith the pending application.

MANOJ KUMAR OHRI, J

MARCH 11, 2024

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