

09.12.2025

Sl. No.26.

D/L.

Mithun.

Ct.No.29.

CRR/4943/2025

Raj Pal Singh Kahlon

Vs.

The State of West Bengal

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Dipanjan Dutt,
Mr. Apalak Basu,
Mr. Somenath Sanyal,
Mr. Surojit Saha,
Mr. Ayan Bhattacharrya,
Mr. Soumadip Ghosh

...for the petitioner

Mr. Rudradipta Nandy, Ld. APP,
Mr. Suman De, Sr. Govt. Adv.

...for the State.

Affidavit-of-service filed by the petitioner is taken on record.

This is an application wherein petitioner has prayed for variation/modification of the conditions of the bail order to the extent that the passport of the petitioner bearing No.Z254173 may be returned to the petitioner and that the petitioner may be permitted to travel abroad after prior intimation.

The petitioner's contention is that in connection with the instant proceeding, he was arrested and thereafter bail was granted to him on 11th April, 2016, *inter alia*, on conditions that the petitioner must deposit his passport in Court and not to leave India in any circumstances without prior approval of the Court.

Being aggrieved by the aforesaid order, Mr. Mukherjee, learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner since passing of that order in the year 2016 has complied the

said order and the petitioner inter alia required to liaise with Government official to understand regulatory framework and explore opportunity for bilateral cooperation on behalf of Rashmi Group of Companies and therefore he is required to go abroad. Furthermore, his wife is an Australian citizen and many of his close relatives reside in Australia and United Kingdom. Therefore, the petitioner is also required to discharge his family obligation and to that extent, he made a prayer before the Trial Court.

However, learned Trial Court while disposing his aforesaid prayer held that though the accused may be permitted to renew his passport but his prayer for leave the Country cannot be allowed as the petitioner in his application has not disclosed his detailed itinerary and the purpose for which he wants to visit and also the exigency of travelling abroad.

Mr. Nandy, learned Counsel appearing on behalf of the State opposed the prayer and contended that if such condition is relaxed, there is every likelihood that the petitioner shall flee from justice and the trial would be delayed as charge hearing of the instant proceeding has not yet been made.

I have considered submissions made on behalf of both the parties.

On perusal of the order impugned, it appears that the Court below was pleased to reject the prayer made by the petitioner as the petition suffers from non-furnishing some material information which according to the Court below required for the purpose of disposal of the said application.

In such circumstances, I find that it would be proper to direct the petitioner to make a fresh comprehensive prayer before the Court below stating therein inter alia the detailed itinerary, his phone number and the purpose for which he wants to go abroad and also the exigency for

travelling abroad within 7 days from this date and in the event of filing such application, the Court below will dispose of his prayer within two weeks thereafter without being influenced by any observation made herein and also the observations made by him in the impugned order.

With the aforesaid observation, CRR 4943 of 2025 stands disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)