

296 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49178-2025
Date of decision: 04.11.2025

SHAKHNOZA RAKHIMOVA ...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR. ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr. Zahied F. Chouhan, Advocate with
Ms. Iqura Khan, Advocate,
Ms. Nida Parveen, Advocate and
Mr. Pulkit Mahajan, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

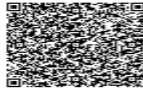
Mr. Sourabh Goel, Sr. Standing counsel assisted by
Ms. Samridhi Jain, Advocate and
Ms. Anju Bansal, Advocate for respondent No.2.

SUBHAS MEHLA, J. (ORAL)

1. This petition has been filed under Section 528 of BNSS praying for quashing and setting aside of the impugned order dated 21.07.2025 passed by Id. Judicial Magistrate, Ist Class, SAS Nagar, Mohali in CIS No. CRM-3243-2025 titled as “**Shakhnoza Rakhimova Vs. Senior Intelligence Officer**” vide which the application moved by the petitioner, for releasing the passport with a permission to travel Uzbekistan for a period 06 months from 05.06.2025, was dismissed on the ground that if the accused is permitted to go abroad then she may not return to India to face the trial.

2. The allegations against the petitioner are that foreign currency was recovered from her and two other persons were apprehended at Chandigarh International Airport while attempting to board a flight to Abu Dhabi on 13.07.2024.

3. Learned counsel for the petitioner submits that the petitioner, a 46-year-old foreign national and citizen of Uzbekistan, is the sole breadwinner of her



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family and is presently engaged in lawful means of livelihood. It is further submitted that the petitioner may be granted permission to travel abroad as her mother is suffering from cancer and her father's health has also deteriorated to a critical and fragile state. He has also placed reliance upon the judgments of the Hon'ble Supreme Court in *Suresh Nanda v. CBI (JT 2008 (2) SC 174)*, *Smt. Maneka Gandhi v. Union of India (AIR 1978 SC 597)*, and *Satish Chandra Verma, IPS v. Union of India (Civil Appeal No. 3802 of 2019 arising out of SLP (Civil) No. 1655 of 2019)*, wherein it has been held that the right to travel abroad forms an integral part of Article 21 of the Constitution of India. He further submits that the petitioner is willing to deposit 10% of the recovered amount and prays for quashing and setting aside of impugned order dated 21.07.2025.

4. Learned counsel for respondent No.2 submits that they would have no objection to the petitioner being permitted to travel abroad for a period of two months from the date of departure, subject to the condition that she deposits 10% of the recovered amount in the form of a Fixed Deposit Receipt (FDR) in the name of the department. It is further submitted that the petitioner shall provide her complete and accurate address, contact number, and email ID prior to her departure. He also states that in the event the petitioner fails to return on date fixed i.e. return date, then, the said FDR shall be liable to forfeiture.

5. Heard.

6. In view of the serious medical condition of the petitioner's parents and considering that the petitioner is willing to deposit 10% of the recovered amount in the form of an FDR, she is permitted to travel abroad. Consequently, the present petition is allowed, and the impugned order dated 21.07.2025 passed by the learned JMIC, SAS Nagar, is hereby modified.

7. The petitioner is granted permission to travel abroad for a period of two months from the date of her departure, subject to depositing 10% of the



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recovered amount with the trial Court in shape of Fixed Deposit in the name of Department/respondent No.2-Directorate of Revenue Intelligence. The petitioner shall also file an undertaking that in the event of her failure to return to India or appear before the trial Court within the stipulated period, then, the said amount of 10% shall stand forfeited to respondent-Department.

8. The petitioner is directed to furnish the travel schedule as well as complete particulars and surety as mentioned above, and trial Court will pass an appropriate order accordingly, giving permission to the petitioner to travel abroad for two months.

04.11.2025
Renubala/avin

(SUBHAS MEHLA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No