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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 532/2025 & CRL.M.A. 2602/2025**
ANIL KUMAR MITTALPetitioner

Through: Mr. Madhav Khurana, Sr. Adv. with
Mr. Aditya Ghadge, Mr. Vignaraj
Pasayat, Ms. Sanjeevani Pattjoshi and
Mr. Shubham Jindal, Advs.

versus

CENTRAL BUREAU OF INVESTIGATIONRespondent
Through: Mr. Atul Guleria, SPP for CBI with
Mr. Aryan Rakesh, Ms. Karishma
Malani, Advs.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
% **14.02.2025**

1. The present petition has been filed by the petitioner against impugned order dated 10.01.2025 passed by the learned Additional Chief Judicial Magistrate-05, Rouse Avenue Court, New Delhi in CBI 21/2023 titled as '*CBI vs. Anil Kumar Mittal and Ors.*' to the extent of the direction given therein that the petitioner shall seek prior permission of the Court, before travelling abroad.

2. Mr. Madhav Khurana, the learned senior counsel appearing on behalf of the petitioner submits that during the investigation of the present case, the petitioner's passport was seized, however, when the petitioner approached this Court by way of writ petition being W.P.(C) 4157/2007, this Court *vide*



order dated 18.05.2007 had directed the Investigating Officer CBI to return the passport of the petitioner on the petitioner furnishing a personal bond with two sureties. However, a further condition was imposed that after returning from abroad, the petitioner will resubmit the passport to the Investigating Officer.

3. Mr. Khurana submits that since the passing of said order, the petitioner has travelled abroad as many as on 43 occasions and has never misused the liberty so granted to him.

4. He further submits that each time the petitioner would go abroad, he had to request the Investigating Officer concerned to release the passport. In view of this practical difficulty, the petitioner had filed a petition before this Court being W.P.(C) 15260/2023 seeking release of the passport. However, this Court, *vide* order dated 28.11.2023 passed in the aforesaid writ petition, had granted liberty to the petitioner to approach the court of learned Chief Metropolitan Magistrate to seek release of passport.

5. He submits that in view of the said liberty granted by this Court, the petitioner filed an application before the Court of learned ACJM-05, RADC, New Delhi seeking release of his passport, the details of which have been mentioned in the very first paragraph of the impugned order.

6. He submits that though the learned ACJM ordered the release of petitioner's passport but imposed the condition that the petitioner shall seek prior permission of the Court before travelling abroad. He submits that this condition was never imposed earlier and the petitioner had only approached the learned Trial Court for the release of his passport.

7. He submits that regard being had to the fact that petitioner had frequently travelled during the past 17 years and had never misused the liberty



so granted to him, the impugned condition ought not to have been imposed by the learned ACJM.

8. Mr. Atul Guleria, the learned SPP for the respondent/CBI on instructions does not dispute the travel history of the petitioner, as well as, the fact that he never misused the liberty.

9. Having regard to the aforesaid circumstances, the impugned condition imposed on the applicant to seek prior permission of the Court before travelling abroad is modified to the extent that before departing from India, the petitioner shall inform the Investigating Officer concerned at least 03 days prior to his departure.

10. With the aforesaid modification, the petition alongwith pending application, is disposed of.

VIKAS MAHAJAN, J

FEBRUARY 14, 2025

N.S. ASWAL