



\$~75

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

+ **CRL.M.C. 2726/2025**

THI KHANH HOA

.....Petitioner

Through: Mr. Aamir Chaudhary, Advocate

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Ms. Disha Ganju, Advocate

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **24.04.2025**

CRL.M.A. 12223/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CRL.M.C. 2726/2025

3. By way of the present petition, the petitioner seeks setting aside of the order dated 04.04.2025, passed by the learned Sessions Judge, Tis Hazari Courts, District Central Delhi in Criminal Revision No. 144/2025 and the order dated 19.03.2025, passed by the learned ACJM, Special Court, Tis Hazari Courts, District Central Delhi in case arising out of FIR bearing no. 121/2025, registered at Police Station IGI Airport, Delhi.
4. The learned counsel appearing on behalf of the petitioner submits that *vide* order dated 19.03.2025, the learned ACJM allowed the application filed by the present petitioner for release of the passport and permission to travel

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/05/2025 at 16:09:05



abroad on the various conditions, of which, it is submitted that the condition for furnishing FDR of Rs. 10 Lakh in the name of learned Principal & Sessions Judge (Headquarters) is unreasonable in the facts and circumstances of the present case. It is further submitted that the said amount may be reduced and the FDR may be allowed to be submitted by someone else on his behalf as being a foreigner he will not be able to open an account for creating FDR.

5. Issue notice. Mr. Manoj Pant, the learned APP for the State accepts notice.

6. The learned APP for the State submits that the investigation in the present FIR is continuing, and therefore, the condition imposed on the applicant/petitioner is reasonable and should not be modified.

7. This Court has heard arguments addressed on behalf of both the parties and has perused the material available on record.

8. The present FIR has been registered on the seizure of approximately 60kg tail feathers of peacock which as per the case of the prosecution, would be a “scheduled animal article” as defined under Section 49A (b) of Wild Life Protection Act, 1972. The learned APP for the State has submitted that the investigation whether the said feathers were extracted by way of hunting or otherwise is still pending. The petitioner is a resident of Vietnam and has been granted bail *vide* order dated 24.02.2025. The application seeking release of the passport of the petitioner as well as permission to travel abroad was allowed by the learned ACJM on certain conditions.

9. In totality of the facts and circumstances, the condition requiring furnishing of FDR of Rs. 10 Lakh in the name of Learned Principal & Sessions Judge (Headquarters) as security is modified to the extent that the

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/05/2025 at 16:09:05



petitioner will provide a surety to the tune of Rs. 3 Lakh to the satisfaction of the Learned Trial Court supported by way of FDR for the purpose of his travelling abroad. The order dated 19.03.2025 passed by learned ACJM is modified to the aforesaid accordingly.

10. It is clarified that the other conditions imposed *vide* order dated 19.03.2025 passed by learned ACJM will remain the same.

11. The present petition is disposed of accordingly.

12. Let copy of this order be sent to the concerned Court for necessary information and compliance.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 24, 2025/zp

[Click here to check corrigendum, if any](#)