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

+ **W.P.(CRL) 2709/2025 & CRL.M.A. 25506/2025**

YEHEIL AMOS TOHAR

.....Petitioner

Through: Ms. Aayushi Gaur with Ms. Rishi Raj
Singh, Advocates.

versus

UNION OF INDIA THE F.R.R.O & ORS.

.....Respondents

Through: Mr. Rohan Jaitley, CGSC with Mr.
Akshay Sharma, Mr. Dev Pratap
Shahi, Mr. Varun Pratap Singh, Mr.
Yogya Bhatia, Advocates and Insp.
Satish, FRRO.

Mr. Arun Khatri, Senior Standing
Counsel with Ms. Shelly Dixit,
Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

01.04.2026

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By way of the present petition filed under Article 226 of the Constitution of India read with section 482 of the Code of Criminal Procedure 1973, the petitioner seeks directions to respondent No.1 to deport him back to his home country *i.e.*, Australia and to release his passport which is in the custody of the learned trial court.

2. Ms. Aayushi Gaur, learned counsel appearing for the petitioner submits, that the petitioner's prayer arises from the fact that he has been acquitted *vidé* judgment dated 20.03.2024 in case bearing SC No.205/19 for the offences under sections 20(b)(ii)(C) and 23 of the Narcotic Drugs and Psychotropic Substances, 1985. However, since



respondent No.2/Narcotics Control Bureau ('NCB') was entitled to prefer an appeal against the acquittal, the petitioner was not permitted to leave the country.

3. Mr. Arun Khatri, learned Senior Standing Counsel appearing for the NCB states, that the NCB has now decided not to press any appeal against the judgment of acquittal; and has thus decided to withdraw appeal bearing Diary No. 6308199/2024 which was filed before this court challenging the said judgment.
4. Mr. Khatri submits, that in view thereof, the petitioner may be deported to his country *i.e.*, Australia, subject to there being no other case or legal proceedings pending against him. A letter dated 25.03.2026 addressed by the NCB to respondent No.1/Foreigners Regional Registration Officer ('FRRO') in that respect has been handed-up in court. The same is taken on record.
5. Mr. Rohan Jaitley, learned CGSC appearing for respondent No.1 submits, that in view of the communication issued by the NCB to the FRRO, the petitioner has approached the FRRO for the requisite exit permission; and the petitioner has been asked to appear before the FRRO today and requisite paperwork will be done expeditiously.
6. Ms. Gaur submits, that the petitioner would comply with all the requirements of the FRRO, and further requests that the present matter may be kept pending to ensure compliance.
7. However, the present petition is disposed-of, recording the statement made by Mr. Jaitley that the FRRO would process the paperwork to ensure the petitioner's deportation to Australia *within 10 days*.
8. The petition is disposed-of in the above terms.



9. Pending applications, if any, also stand disposed-of.
10. Needless to add that the petitioner shall be at liberty to approach the court again, if the need so arises.

ANUP JAIRAM BHAMBHANI, J

APRIL 1, 2026

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