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

+ **CRL.M.C. 9400/2023**

GORAV GUPTA

..... Petitioner

Through: Mr. Jitin Singhal & Mr. Pravesh
Bahuguna, Advocates.

versus

DIRECTORATE GENERAL OF GST INTELLIGENCE

..... Respondent

Through: Mr. Harpreet Singh, Senior Standing
Counsel for Directorate General of
GST Intelligence.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **20.12.2023**

CRL.M.A. 35163/2023 (exemption)

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

CRL.M.C. 9400/2023 & CRL.M.A. 35162/2023

3. The present application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.'), has been filed by the applicant/ petitioner seeking setting aside of impugned order dated 11.12.2023, and for permission to travel abroad for a period of 12 months from 31.12.2023 to 31.12.2024.
4. Learned counsel appearing on behalf of the applicant/ petitioner has invited this Court's attention to the orders dated 31.12.2022 and 05.06.2023, wherein the applicant/ petitioner was granted permission to travel abroad by



the learned Trial Court. It is also stated that the applicant was granted anticipatory bail *vide* order dated 07.07.2022, when the following condition “*He shall surrender his passport before the Investigating Officer/Apprehending Authority and under no circumstance leave India without prior permission of the Investigating Officer/Apprehending Authority, and, if he does not possess any passport, he shall file an affidavit to that effect before the Investigating Officer/Apprehending Authority*” was imposed, and the charge-sheet had not been filed. However, since the charge-sheet has been filed now, the learned counsel appearing on behalf of the applicant/ petitioner prays that the condition *vide* which the applicant herein was permitted to obtain prior permission of the Investigating Officer (I.O.) be modified accordingly.

5. In such circumstances, this Court deems it appropriate to modify the condition (i) of order dated 07.07.2022 to the extent, that instead of prior permission to be obtained from the I.O., the same be read as “*prior permission of the Trial Court*”.

6. Learned counsel appearing on behalf of the respondent fairly states that the applicant herein had been granted permission to travel abroad earlier also, on two occasions, and he has not misused the liberty so granted.

7. Accordingly, the applicant/ petitioner is granted permission to travel abroad i.e. Dubai, UAE, for a period of two months, on the same terms and conditions imposed *vide* order dated 31.12.2022 by the learned Trial Court, to the satisfaction of the learned Trial Court.

8. No further relief is prayed for in the present application.

9. With the above directions, the application is allowed; and accordingly disposed of.



10. Copy of the order be given *dasti* to learned counsel appearing on behalf of the applicant/petitioner.
11. Copy of this order be also forwarded to the learned Trial Court, for information.
12. The order be uploaded on the website forthwith.

DECEMBER 20, 2023/at

SWARANA KANTA SHARMA, J

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