

MHNG010009862022



**IN THE COURT OF DISTRICT JUDGE-5 AND  
ADDITIONAL SESSIONS JUDGE, NAGPUR.**

**Misc. Criminal Application No. : 22 of 2022**

Hirdesh Singh S/o Sarabjeet Singh  
@ Yo Yo Honey Singh, Aged about 38 yrs.,  
Occ. : Singer/Musician/Actor,  
R/o I-9, Karampura, New Delhi.

.....**APPLICANT.**

// V e r s u s //

The State of Maharashtra,  
Through the Police Station Officer,  
Police Station Panchpaoli,  
Nagpur.

**ORDER BELOW EXH.1**

(Passed on 27<sup>th</sup> January, 2022)

1] This is an application filed by applicant/accused Hirdesh Singh S/o Sarabjeet Singh @ Yo Yo Honey Singh for relaxation of condition imposed on him by the bail order dated 27/10/2015 for travelling abroad and permit him to travel to Dubai in between 29/01/2022 until 20/03/2022.

2] According to the applicant, Crime No.3074/2014 for the offence punishable U/Sec. 292 and 293 of the Indian Penal Code and U/Sec. 67 and 67(A) of the Information Technology Act,

2000 is pending against him wherein on 27/10/2015 Sessions Court has granted anticipatory bail to him by laying down certain conditions. He being renowned musician and engaged in performing in live shows and concerts, is required to travel abroad. In pursuance of which, he had sought permission from the Court from time to time (mentioned in para No.6) and now he is further required to visit Dubai from 29/01/2022 till 20/03/2022 and hence prayed to grant permission to him. It is also urged that on previous occasions he has not breached conditions of bail and ready to comply all the terms and conditions that will be imposed by the Court.

3] The application is opposed by the Investigating Officer by filing say at Exh.5. The objection taken by the Investigating Officer is that he has received order of Judicial Magistrate, First Class, Court No.5, Nagpur to record voice sample. In pursuance of which, letter was issued to applicant on 10/01/2022 and he was asked to attend police station Panchpaoli on 25/01/2022, but he has not attended police station and informed on mail his inability to attend police station. Therefore, since he is not co-operating investigation, if he is permitted to go he may not remain present before the Court.

4] Heard respective counsel and learned A.P.P. The learned counsel for the applicant has brought to the notice various orders of the Court which are enlisted below list Exh.3 and on that basis he submitted that accused on the previous occasions also has

attended concerts and musical shows abroad and returned in time as directed by the Court and did not breach conditions. Therefore, considering the bonafide shown by him, he may be permitted to go abroad.

5] On the other hand, learned A.P.P. on the basis of say filed by the I.O. has submitted that the voice sample of the applicant is necessary and therefore, he may not be permitted to go abroad.

6] I have given anxious consideration to the submissions. The learned counsel for the applicant during the course of argument has contended that the applicant is bound by the performance agreement, in pursuance of which he has to attend event on 30/01/2022 and then on 14/02/2022 and then 18/03/2022. However, he is ready to give voice sample after the first event. I have perused the previous orders wherein the permission was given to the applicant and it appears that the applicant has although had gone abroad, but did not breached condition.

7] It appears that the applicant is bonafidely seeking permission to travel abroad for his business engagement. But he is seeking permission for three different dates. Considering the fact that his presence is required by the I.O. to record his voice sample, he has shown his bonafide by filing pursis vide Exh.7 limiting his permission to the extent of only 29/01/2022 to 04/02/2022.

Under these reasons, I see no legal impediment to grant permission to the applicant by imposing certain conditions. Hence, the order :-

**ORDER**

- (i) Application (Exh.1) is allowed.
- (ii) The applicant Hirdesh Singh S/o Sarabjeet Singh @ Yo Yo Honey Singh is permitted to travel Dubai from 29/01/2022 to 04/02/2022.
- (iii) He is further directed to present himself before police station Panchpaoli, Nagpur in between 04/02/2022 and 11/02/2022 so that his voice sample can be recorded.
- (iv) The applicant is at liberty to file fresh application for further period.
- (v) Application is disposed of.

Place :- Nagpur.

Date :- 27<sup>th</sup> Jan., 2022.

**(S.A.S.M. Ali)**  
I/C District Judge-5 and  
Addl. Sessions Judge, Nagpur.

<b>ENDORSEMENT</b>	
Case argued on	27/01/2022
Order dictated on	27/01/2022
Transcription ready on	28/01/2022
Order checked and signed on	28/01/2022

CERTIFICATE

I affirm that the contents of this P.D.F. File of order are word to word same as per original order.

Name of Stenographer : A. N. Waghmare.