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

Judgment delivered on: 25th August, 2015

+ **CRL.M.C. No.5422/2014**

VIJAY RISBUD

..... Petitioner

Represented by: Mr.Aditya Chaudhary, Adv
versus

CBI

..... Respondent

Represented by: Mr.Sanjeev Bhandari,
Special Public Prosecutor.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. By way of this petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks modifications in the conditions of the bail order dated 28.05.2003 passed by learned Special Judge. Learned Special Judge while granting bail to the petitioner vide said order has imposed following conditions:-

*“He shall not influence or tamper with the evidence or contact the witnesses;
He shall not leave the country without prior permission of the Court;
He shall surrender his passport, if any and;
He shall participate in the investigation as and when required.”*

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner is retired government servant and makes his ends meet by

working as urban planner consultant and required to travel abroad on short notices, however because of the time consuming procedure of seeking prior permission of the Trial Court for travelling abroad, the petitioner could not undertake certain tours which has resulted in irreparable financial and professional loss to the petitioner.

3. On perusal of the petition, the petitioner has given some instances in para Nos.7 to 10 and thereafter also filed affidavit dated 04.12.2014 wherein he has narrated some of the instances which he could not avail the opportunities.

4. Learned counsel appearing on behalf of respondent has strongly opposed the present petition and submits that he may flee from judicial process, if the blanket relief is granted to the petitioner. If this Court is inclined to modify the bail order conditions, such conditions may be imposed so that he will not cause any delay in trial and attend the Court on date fixed.

5. After hearing learned counsel for parties and going through the affidavit, it is apparent that petitioner has missed many opportunities to go abroad and to attend the calls of his clients.

6. In view of above, I hereby modify the order dated 28.05.2003 passed by learned Special Judge as under:-

A) The petitioner shall deposit a sum of Rs.10.00 Lac in the form of Fixed Deposit Receipt in the name of learned Trial Court which shall be considered a security and will remain with learned Trial Court during pendency of the matter;

B) Petitioner shall furnish his address and itinerary where he

would stay and visit during abroad visits;

C) The petitioner shall adhere to the schedule and would not extend his stay;

D) Prior to going abroad, he will give information to the learned Trial Court by moving the appropriate application and on return from abroad, on the very next working day, he will inform the learned Trial Court about returning to India;

E) It is made clear that he will appear on each and every date of hearing and will not make his tour programme on the date fixed before learned Trial Court; and

F) The Passport of the petitioner shall be returned to him. In case of renewal of the passport, the photocopy of the renewed passport shall be filed along with the itinerary application before learned Trial Court.

7. In view of above terms, instant petition is allowed and disposed of.

8. A copy of this order be given *dasti* to the learned counsel for the petitioner.

**SURESH KAIT
(JUDGE)**

AUGUST 25, 2015

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