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

Judgment delivered on: 11th December, 2015

+ **CRL.M.C. 5039/2015**

STATE

..... Petitioner

Represented by: Mr. Ravi Nayak, APP for the
State along with SI Sanjiv
Mandal, P.S. R.K. Puram.

Versus

MAVLUDA ALIKULOVA

.... Respondent

Represented by: None.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

Crl. M.A. No. 18141/2015 (Exemption)

Exemption allowed, subject to all just exceptions.

Accordingly, the application is allowed.

Crl. M.C. No. 5039/2015

1. Vide the present petition, petitioner seeks direction thereto setting – aside the order dated 13.07.2015 passed by the learned Additional Sessions Judge, Patiala House Courts, New Delhi, whereby, bail has been granted to the respondent in FIR No. 406/2015 registered at P.S. R.K. Puram for the offences punishable under Sections 420/468/471 IPC r/w Sections 14 of The Foreigners Act, 1946.

2. Learned counsel appearing on behalf of the petitioner submits that vide order dated 5th June, 2015, the bail of the respondent was dismissed by learned Metropolitan Magistrate. Thereafter, there was no change of circumstances, however, vide order dated 13th July, 2015, the learned Additional Sessions Judge admitted her on bail.

3. On perusal of order dated 5th June, 2015, the learned Metropolitan Magistrate recorded in its order that verification report of visa of the respondent/accused has not been received from Uzbekistan Embassy and investigation of the case is at initial stage. Whereas in order dated 13th July, 2015, the learned Additional Sessions Judge recorded in its order that the respondent/accused is in custody since 21.05.2015. The investigation is substantially completed and the relevant records have been received from concerned Embassy.

4. Therefore, keeping in view the fact that respondent is a lady of 27 years of age, the learned Additional Sessions Judge admitted her on bail on furnishing bail bond in the sum of Rs.50,000/- with one surety in the like amount. The Trial Court has also imposed the conditions that the passport of the respondent will remain seized and she will report to the concerned police station once every month and she will also furnish her local address which was to be verified by the Investigating Officer.

5. On perusal of both the orders, I find no discrepancy in the impugned order, however, having no merit in the said petition, the same is accordingly dismissed.

6. I hereby make it clear that if any of the condition of the bail has been violated by the respondent, the State is at liberty to take steps as per law before the appropriate Forum.

7. In view of the above, the instant petition is disposed of *in limine*.

**SURESH KAIT
(JUDGE)**

DECEMBER 11, 2015
rs/sb