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

+ **BAIL APPLN. 27/2016**

GAURAV JAIN Petitioner

Through Mr. Ashwin Vaish, Adv.

versus

STATE Respondent

Through Mr. Amit Chadha, APP with
Inspector Gurnail Singh, EOW
Mr. Ashutosh Upadhyaya, Adv. for
complainant

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **14.03.2019**

Crl. M.A. no. 5056/2019 (for release of passport)

Petitioner filed an application under Section 438 Cr.P.C. in this Court during investigation. Bail application was taken up for hearing on 2nd March, 2016. Learned counsel for the petitioner withdrew the said application with liberty to approach the trial court. In the said bail application, vide order dated 7th January, 2016 petitioner was directed to deposit his passport with the Investigating Officer during the investigation. Learned counsel for the petitioner submits that investigations are still

pending. Subsequently, petitioner filed an anticipatory bail application before the trial court, which was dismissed. Petitioner again filed a Bail Application no. 707/2016 before this Court, wherein interim protection was granted. However, subsequently, bail application was dismissed, vide order dated 3rd July, 2018. Petitioner approached the Supreme Court by way of Special Leave Petition, which was dismissed. However, petitioner was directed to surrender before the appropriate Court within a period of one week. It was further ordered that petitioner may apply for bail after surrendering before the Court. Thereafter, petitioner approached this Court seeking anticipatory bail being Bail Application No. 1972/2018. In this application, petitioner was directed to deposit ₹1.5 crore to show his bonafide. A perusal of order dated 8th February, 2019, passed in Bail Application no. 1972/2018, shows that petitioner deposited ₹1.5 crore in compliance of the order passed by this Court and joined the investigation, in view thereof interim order dated 13th February, 2019 was continued. It was ordered that trial court would enlarge the petitioner on bail on his furnishing a personal bond in the sum of ₹5 lacs with two sureties of the like amount. No other condition was attached while passing the said order. No such condition was imposed that petitioner will not leave the country without

permission of the Court.

In view of this changed circumstances, it is ordered that Investigating Officer shall return the passport to the petitioner forthwith.

Application is disposed of in the above terms. Dasti.

MARCH 14, 2019
r.bararia

A.K. PATHAK, J.