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

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Judgment delivered on: 18.07.2018

+ BAIL APPLN.217/2018

NITESH ARORA

..... Petitioner

versus

STATE GOVT. OF N.C.T.DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr.Shashi Shanker, Adv.

For the Respondent:

Mr. Raghuvinder Verma, APP for State

Mr.Gaurav Mehra, Adv. for the complainant.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

18.07.2018

SANJEEV SACHDEVA, J. (ORAL)

BAIL APPLN.217/2018 & CrI.M.A.8245/2018

1. The petitioner seeks anticipatory bail in FIR No. 511 of 2017 under Sections 498A/406/34 IPC, Police Station: Kashmere Gate, Delhi. Subject FIR emanates out of a matrimonial discord.

2. By order dated 29.01.2018 petitioner was granted interim protection. Learned APP under instructions submits that the petitioner had joined investigation as and when he was called for. The Investigating Officer further states that the petitioner had offered to return some of the dowry articles, however, the same were refused by the complainant.

3. Learned counsel for the complainant submits that there were valid reasons for refusal of the same as there was discrepancy of the articles

which were sought to be returned.

4. In so far as the investigation is concerned, the same is said to be going on.

5. In the meantime, petitioner has filed the subject application seeking permission to travel to United States of America for an assignment for which he has been appointed by his company.

6. As per the petitioner the petitioner has to work in the New Jersey office of his employer which is Optum Global Solution Pvt Ltd and the assignment is to commence on July 23, 2018 for a period of 180 days. It is also mentioned that the Visa of the petitioner is due to expire on 31.10.2018 and its extension would be applied once he reached USA.

7. Learned counsel for the petitioner under instructions submits that the petitioner shall duly return after the expiry of the period of assignment which ends on 23.01.2019. He further states that in case the Visa is not extended by the US authorities he shall return to India.

8. He further submits that in case there is a necessity for the petitioner to return to India for the purposes of joining investigation, he would be in a position to take leave and come for a day or so for the purpose of joining investigation.

9. The certificate from his employer along with other documents have been filed. The same are taken on record.

10. Purpose, period of travel and other documents have been verified by

the Investigating Officer.

11. In view of the above, the application is allowed. Petitioner is permitted to travel to United States of America for the purpose of his assignment which is to continue for 180 days. Petitioner shall return the India on completion of the assignment on 23.01.2019, within a period of one week thereafter and in case his Visa is not extended on or before 31.10.2018.

12. Within a period of two days of his return, the petitioner shall duly report to the Investigating Officer. Petitioner shall also join investigation as and when so called for by the IO, however, IO shall call the petitioner only if it is necessary.

13. Keeping in view the totality of facts and circumstances of the case as well as the record, I am of the view that petitioner has made out a case for grant of anticipatory bail.

14. In the event of arrest, petitioner shall be released on bail by the Investigating Officer/Arresting Officer/SHO on petitioner furnishing a personal bond in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the Investigating Officer/Arresting officer/SHO.

15. The application and petition are disposed of in the above terms.

16. Order *Dasti* under signatures of the Court Master.

JULY 18, 2018/rk

SANJEEV SACHDEVA, J