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

+ CRL.M.C. 3672/2017
SUMIT BHALLA

..... Petitioner

Through: Mr.Manish Kaushik, Advocate.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Ms.Neelam Sharma, APP for State
with SI Deepak Kumar, P.S. Malviya
Nagar, Delhi.
Mr.Ramesh Gupta, Sr. Advocate with
Mr.Bharat Sharma and Mr.Tejvir
Singh, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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29.11.2018

The petitioner has prayed for cancellation of anticipatory bail granted to the respondent No.2 on the ground that condition No.1 of the anticipatory bail order was violated by the respondent no.2.

The bail order dated 11th April, 2017 passed by the learned Addl. Sessions Judge reads as under:-

“Having regard to aforementioned facts and circumstances of the case, I am inclined to grant anticipatory bail to the accused. Accordingly, in the event of his arrest, accused shall be admitted on bail on his furnishing bail bond in the sum of Rs.50,000/- with two sureties of like amount to the satisfaction of the IO/SHO

concerned subject to following conditions:-

- 1. The applicant shall not leave the National Capital Territory of Delhi without the prior permission of the IO/SHO.*
- 2. The applicant shall remain present before the IO/SHO on the dates fixed for the hearing of the case.*
- 3. The applicant shall surrender his passport before the IO/SHO at the time of furnishing bail bond/surety bond.*

Let the passport which was ordered to be placed on record during the interim bail granted to the accused when the matter was referred to mediation, be released in favour of the accused/applicant against valid receipt and signature.”

The petitioner was not even arrested by the I.O nor any bail bond was taken from him.

Learned APP informs that closure report has been filed by the IO before the concerned Court.

In the above facts and circumstances, this Court is of the opinion that no case is made out for cancellation of anticipatory bail. The petition is accordingly dismissed.

A.K. PATHAK, J

NOVEMBER 29, 2018
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