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

+ **BAIL APPLN. 398/2019**

ULLHAS VASANT PRADHAN Petitioner

Through: **Mr. Rahul Sharma, Adv.**

versus

THE NCT OF DELHI Respondent

Through: **Mr. Hirein Sharma, APP for State
with SI Ashok, PS – Okhla Industrial
Area, New Delhi**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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05.02.2020

CRL. M.A. 2609/2020

Allowed, subject to all just exceptions.

Application is disposed of.

CRL.M.A. 2608/2020

Notice.

Learned APP accepts notice on behalf of the State.

Present application is filed seeking permission to visit his daughter who is at an advanced stage of pregnancy at USA and expected date of delivery is 25.03.2020. Accordingly, the applicant and his wife have scheduled their visit to their daughter for 08.02.2020 and have also booked the tickets.

It is not in dispute that the applicant was granted anticipatory bail by this Court vide order dated 27.02.2019 with a condition that the applicant

will not leave the country without prior permission of the learned trial Court.

It is stated by learned counsel for the petitioner that the investigating officer misled the learned trial Court that "*notice was issued to the applicant for supplying the documents i.e. nationality, date of birth, passport number and photograph, however, despite the same applicant did not supply the documents.*" Learned counsel submits that no notice whatsoever or even intimation/information was ever conveyed to the applicant with respect to the documents as mentioned above.

It is not disputed by learned APP that the petitioner has already paid 50% of the alleged cheating amount to the complainant and another 50% has been deposited in the form of bank guarantee with the Court of learned Magistrate.

Moreover, Criminal Misc. Case No. 335/2019 seeking quashing of FIR is also pending before this Court and listed on 31.07.2020.

In view of the above, I find no occasion to dismiss the application of the petitioner whereby not allowing him the permission to go abroad.

Accordingly, I hereby allow the petitioner to go abroad as per the schedule. LOC, if any, issued against the petitioner shall be withdrawn to make his journey safe. It is made clear that he shall remain present as and when the date is fixed before the trial Court.

In view of the above, the application is allowed.

Order *dasti* under signatures of the Court Master.

SURESH KUMAR KAIT, J

FEBRUARY 05, 2020

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