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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 2002/2019
RUBINA RATNAKAR Petitioner
Through Mr. Prashant Mendiratta, Adv.
versus
STATE (NCT OF DELHI) Respondent
Through Mr. Panna Lal Sharma, APP for State

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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24.08.2020

The hearing has been conducted through video conferencing.

Crl. M.A.10840/2020

1. The present application has been filed by the applicant/petitioner under Section 482 Cr.P.C. seeking permission to travel abroad (USA) for a period of three months.
2. Learned counsel for the applicant submits that the applicant is a citizen of USA. Her mother is staying at Bengaluru and the applicant came to India on 11.07.2019 despite knowing well about Look Out Circular (LOC) opened against her and her application for cancellation of LOC was also dismissed. Thus, she herself came to India to join the proceedings before the Trial Court. Learned counsel, on instructions, further submits that the applicant is ready to give an undertaking with respect to the property bearing No.I-1201, 12th Floor, Rivera Eldeco Green Meadows, Sector - PI, Greater Noida, Gautam Budh Nagar, Uttar Pradesh in case of default .
3. It has been verified by the Investigating Officer that petitioner is a registered owner of the said property. The complainant, Ms. Sheetal Makol who has joined the proceedings through video conferencing submits that the

applicant purchased the aforesaid property from the husband of the complainant for an amount of Rs.30 lacs whereas in the account of the applicant there was only an amount of Rs.1 lac. Thus, in future if her husband claims the said purchase to be fake and forged transaction in that case it would not be possible to attach the property mentioned above.

4. Learned counsel for the applicant further submits that the husband of the complainant is a PO and he is not in India. He is somewhere in abroad and he is not in contact with the applicant whereas the applicant is a registered owner of the said property. Learned counsel, on instructions of the applicant, submits that the applicant shall file an undertaking before this Court that in case she does not return within three months, the aforesaid property may be transferred in the name of complainant.

5. At this stage, the complainant agreed to accept this offer of the applicant. Accordingly, she has no objection in case the applicant is allowed to visit USA for three months.

6. At this stage, the applicant is ready to furnish the original sale deed with the undertaking before the Registrar General of this Court who shall verify whether the applicant is competent to transfer the said property which is free from any encumbrances and file a report within a week.

7. Renotify on 04.09.2020.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

SURESH KUMAR KAIT, J

AUGUST 24, 2020/rk