

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2580 OF 2022**

IN

ANTICIPATORY BAIL APPLICATION NO.1053 OF 2020

Arvind Kumar Sethi .. Applicant

Versus

Union of India and anr and 1 ors .. Respondent

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Prashant Pandey, Darshit Jain, Irfan Unwala, Harshika Shroff,
Pradip Singh i/b W3 Legal LLP for the Applicant.

Kuldeep Patil for respondent no.1- CBI

S.H. Yadav, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.

DATED : 04th AUGUST, 2022

P.C:-

1. Heard learned counsel for the applicant and learned counsel Mr. Patil for CBI.

2. By the present application, the applicant seek return of his passport, in the wake of the final order dated 29/03/2022 by which, the anticipatory bail application filed by the applicant was allowed. The learned counsel Mr. Pandey for the applicant would submit that while the applicant was protected by interim order on 22/12/2020, when the investigation was in progress, and the applicant was directed to attend the Investigating Officer and co-operate with the investigation. Apart from this, a condition

was imposed upon the applicant to deposit his passport with the Investigating Officer within a period of 1 week.

2. On 29/03/2022, the application was heard and it was recorded that the applicant was granted interim protection and he was directed to report to the Investigating Officer. It was specifically recorded that the investigation is complete and charge-sheet has been filed and no useful purpose would be served by keeping the applicant incarcerated, since the trial is likely to consume a considerable time. The applicant, therefore, came to be released on bail by imposing several conditions. The condition of depositing of the passport was done away with and a condition was imposed on the applicant that he shall not leave the country without prior permission of the court.

3. Mr. Patil would submit that, by way of interim order, the passport was directed to be deposited. But it can be apparently seen that, when the order is passed and the application is disposed off, the said condition has been done away with and possibly, for the reason that the investigation was completed and the charge-sheet was filed. The applicant was, however, directed to seek prior permission of the court before he leave the country. In the wake of the above and, since by the final order, the

condition of depositing the passport has been done away with, the respondent authorities shall return the passport to the applicant within a period of one week from today.

4. The application is disposed off.

(SMT. BHARATI DANGRE, J.)