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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2264/2023

MAYUR SHARMA & ANR.

.....Petitioners

Through: Mr. P. S. Rana, Ms. Muskan Gupta
and Mr. Harshit Aggarwal, Advocates
(through VC)

versus

STATE & ANR.

.....Respondents

Through: Mr. Laksh Khanna, APP for the state.
Inspector Surender Singh, P.S:
Dwarka, Sec-23.
Mr. Yashpal Rangi, Advocate for
respondent No.2 with respondent no.
2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.08.2024

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1. By way of the present petition, the petitioner seeks cancellation of anticipatory bail granted to the respondent No. 2 vide order dated 09.02.2023 passed by Ld. Sessions Court in FIR No. 462/2021 registered under Section 420 IPC at PS Dwarka Sector 23, Delhi.
2. The only premise to file the present petition is that the respondent No.2 has violated the bail conditions, inasmuch as, he has left India without taking any prior permission. It is submitted that respondent No.2 has travelled outside India without prior permission of the concerned Court in the month of November, 2022.
3. Learned counsel for respondent No.2 submits that initially, an application was filed before the Ld. Sessions Court for record of the said



violation, which came to be dismissed vide the impugned order wherein it was noted that the respondent No.2 had given an explanation that he was not aware of the bail conditions, and as soon as he realised his mistake, he flew back to India. It is also submitted that the respondent No.2 had travelled abroad twice with the permission of the Court.

The respondent No.2 has joined the proceedings through VC and has been identified by his counsel as well as Investigating Officer. Further, it is stated that the he has already surrendered his passport that is lying with the Court. He also undertakes and assures that he will not violate any bail conditions and in case he wants to travel outside India, prior permission of the concerned Court will be sought. The undertaking is accepted, taken on record and he is made bound by the same.

4. Considering that the respondent No.2 has already surrendered his passport and thereafter, had also travelled abroad twice with permission from the concerned Court, this Court finds no ground to interfere with the order of the Ld. Sessions Court granting pre-arrest bail to the respondent No. 2, consequently, the present petition is dismissed.

MANOJ KUMAR OHRI, J

AUGUST 28, 2024/pu