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

+ **CRL.M.C. 1974/2024**

CHRISTIAN JOLE GEORGE Petitioner

Through: Mr. Arun K. Srivastva,
Mr. Ashish Sindhu & Ms.
Shaheena Praveen, Advs.

versus

**STATE GOVT. OF NCT OF
DELHI**

..... Respondent

Through: Mr. Amol Sinha, ASC
(Criminal) for the State
with Mr. Kshitiz Garg &
Mr. Ashvini Kumar, Advs.
SI Jasvinder Singh, PS-
Special Cell

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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11.03.2024

CRL.M.A. 7580/2024 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed seeking modification in the conditions imposed by the learned Trial Court while granting bail to the petitioner.
4. The learned Trial Court, by order dated 15.01.2024, had admitted the petitioner on bail on furnishing a personal bond for a sum of ₹1,00,000/- with two sureties of the like amount. Certain other conditions were also imposed.
5. The petitioner filed an application for reduction of the surety amount. The said application was disposed of by the

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learned Trial Court by order dated 13.02.2024 and the order granting bail was modified to the extent that the petitioner was directed to furnish a personal bond for the sum of ₹50,000/- with two sureties of the like amount. Rest of the conditions imposed by order dated 15.01.2024, however, remained the same.

6. The learned counsel for the petitioner submits that the petitioner is in incarceration since 15.12.2019. The petitioner is a Nigerian citizen and because of the fact that the petitioner had been in custody for more than four years, he is not in a position to arrange two sureties.

7. The learned Standing Counsel for the State fairly submits that the State has no objection if an appropriate order is passed, however, the accused, in such cases, cannot be permitted to not produce any surety. He submits that the purpose of surety is to assure the presence of the accused during the course of the trial.

8. ***In Re: Policy Strategy for Grant of Bail : 2023 SCC OnLine SC 483***, the Hon'ble Apex Court had specifically noted that if the accused is not able to furnish bail bonds within one month from the grant of bail, the concerned Court may *suo moto* take up the case and consider whether the conditions of bail require modification/ relaxation.

9. The learned Trial Court has reduced the surety amount from ₹1,00,000/- to ₹50,000/-, therefore, the fact that the petitioner is not in a position to produce sureties for a higher amount is not doubted.

10. In view of the above, the conditions imposed by the learned Trial Court are modified to be read as under:

“The petitioner is directed to be released on bail on furnishing a personal bond for a sum of ₹50,000/- and one surety for a sum of ₹25,000/-, subject to the following



conditions:

- a. he shall provide his mobile numbers to the IO;
- b. he shall keep his mobile phone 'ON' at all times;
- c. he shall keep his GPS location 'ON' all the time;
- d. he will deposit his valid passport in the court or in absence of passport, LOC be opened against accused
- e. he shall mark his attendance in the concerned police station on first Monday of every month till trial is completed;
- f. he shall not leave the India under any circumstances without prior permission of trial court;
- g. he shall not commit any offence whatsoever during the period that he is on bail in the instant case;
- h. In the event of there being any FIR/DD Entry/complaint lodged against the applicant/accused it would be open to the State to seek cancellation of bail of the accused."

11. The petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MARCH 11, 2024
"SS"