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

+ **CRL.M.C. 2060/2021**

RYNE WELFARE ASSOCIATION (REGD.) Petitioner

Through: **Mr. Puneet Bajaj and Ms.Jyoti Nayak,**
Advocates

versus

STATE (N.C.T. DELHI) & ANR. Respondent

Through: **Ms.Meenakshi Dahiya, APP for the**
State with Insp. Rahul Soni, PS:
EOW.

Mr.Mukesh Gupta and Mr.Praveer
Singh, Advocates with respondent
No.2 in person.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

13.02.2024

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CRL.M.C. 2060/2021

1. Petition under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for cancellation of anticipatory bail granted to the accused in FIR No.165/2018 under Sections 409/420/120B IPC registered at P.S. Economic Offences Wing.

2. Learned counsel for respondent No.2 submits that detailed order dated 05.04.2021 was passed by learned Additional Sessions Judge at the time of granting anticipatory bail and all the relevant circumstances were taken into consideration. It is pointed out that vide impugned order it was taken into consideration by the learned Additional Sessions Judge that custodial interrogation of the applicant is not required and co-accused Brij Bhushan Gupta and Ashish Nathani had been also released on bail.



3. On the other hand, learned counsel for the petitioner submits that the present petition had been preferred since the application for anticipatory bail appears to have been entertained despite the fact that proceedings under Section 82 Cr.P.C. were initiated against respondent No.2.

4. Admittedly, in the present case, charge-sheet has been filed against respondent No.2 in the year March, 2023 and he is no longer required for the purpose of any investigation.

5. The co-accused Ashish Nathani and Brij Bhushan Gupta are stated to be on regular bail. No purpose would be served by cancelling the bail and sending the petitioner in custody who is on anticipatory bail since 05.04.2021. Considering the facts and circumstances and without making any further observations on the merits of the allegations, no grounds are made out to cancel the anticipatory bail granted to respondent no. 2 after period of 2 years and 10 months.

Petition is accordingly, disposed of. Pending applications, if any, also stand disposed of.

CRL.M.A. 3534/2024

1. Application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of respondent No.2 seeking permission to travel abroad to New York, USA from 24.02.2024 to 14.03.2024.

2. Learned counsel for respondent No.2 submits that the application seeking permission to travel to USA was not pressed before the learned trial court due to pendency of present petition for cancellation of bail application.

3. Considering the facts and circumstances, liberty is granted to respondent No.2 to file an application for permission to travel abroad before



the learned trial court, which shall be disposed of expeditiously, in accordance with law.

4. Application is accordingly disposed of.

ANOOP KUMAR MENDIRATTA, J.

FEBRUARY 13, 2024/v