



\$~59

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 7951/2023, CRL.M.A. 29624/2023, CRL.M.A.
14636/2024, CRL.M.A. 14637/2024

DR. JAIDEEP MALHOTRA

..... Petitioner

Through: Mr. Mohit Chaudhary, Mr. Kunal Sachdeva, Mr. Balwinder Singh Suri, Mr. Aashish Arya and Ms. Vaishali Shakula, Advocates.

versus

STATE OF NCT OF DELHI & ANR.

..... Respondent

Through: Mr. Nawal Kishore Jha, APP for State with SI Sonal Raj, P.S. Model Town. Mr. Ram Ballabh Sharma, Ms. Nimisha Gupta and Ms. Isha Jaiswal, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

13.05.2024

%

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner seeks modification of the order dated 21.08.2021 passed by Ld. ASJ/Special Judge (NDPS), Rohini Courts, Delhi whereby petitioner has been granted bail in FIR No. 83/2021 registered under Section 420 IPC at P.S. Model Town.

2. Learned counsel for the petitioner states that in the present FIR, complainant/respondent No.2 has alleged that she had taken IVF treatment from the petitioner and few others, which did not provide the promised result and in this manner, she has been cheated. Learned counsel states that petitioner seeks modification of bail condition No. (ii) contained in the order dated 21.08.2021 whereby it has been directed that the petitioner will not



leave India without prior intimation to the Court by written intimation in advance, in case he travels abroad. He submits that the petitioner has been invited as a Guest Lecturer/Coordinator as well as for felicitation.

It is further submitted that every time the petitioner has to travel aboard, prior verification is carried out not only from the airlines but also from the place from where he is invited. It is submitted that during the verification, the investigating agency informs the inviting person/organization that petitioner is an accused in the present FIR and facing trial, thereby diminishing petitioner's reputation.

3. Learned APP for the State, on the other hand, has opposed the prayer and stated that the cheating amount is to the tune of Rs.1.85 lacs. He, on instructions, states that the case is still at the stage of investigation.

4. I have heard learned counsels for the parties and gone through the records.

5. Concededly, after passing of the order dated 21.08.2021, the petitioner has traveled abroad on a number of occasions and he is stated to have not misused the concession. Considering the allegations leveled in the FIR and the fact that the matter is still at the stage of investigation as also the fact that the petitioner has travelled aboard multiple times, condition No. (ii) in the order dated 21.08.2021 is modified to the extent that petitioner shall supply a copy of his itinerary to the Investigating Officer before travelling abroad.

6. Petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

MAY 13, 2024/ga