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

+ CRL.M.C. 71/2024

NITIN AGARWAL Petitioner

Through: Mr. Mehul Gupta,
Advocate

versus

STATE Respondent

Through: Mr. Utkarsh, APP for the
State with SI Sahil, PS
Karol Bagh.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
23.01.2024

1. The present petition has been filed by the petitioner under Section 482 read with Section 440(2) of the Code of Criminal Procedure, 1973 seeking reduction of surety imposed vide order dated 28.11.2020, granting bail to the petitioner.
2. By an order dated 28.11.2020 the applicant was directed to be released on bail on furnishing a personal bond of ₹2 lakh and two sureties of the like amount.
3. The learned counsel for the petitioner submits that two persons had given a surety at the stage when the order was passed on 28.11.2020. Mr. Sanjay Mittal, being one of the sureties, wants to withdraw his surety for personal reasons. The affidavit of the surety – Mr. Sanjay Mittal is also placed on record where he deposes that he had furnished the documents of his car by way of surety in FIR 394/2020 and that the said car is now ten years old and being a diesel car, it is banned in Delhi. He wants to



dispose of the said car and thus wants to withdraw the surety for the said car.

4. The learned counsel for the petitioner further submits that he is also not in a position to arrange for surety.

5. Considering the above and the fact that the bail was granted on 28.11.2020 and the liberty has not been misused by the petitioner, the order dated 28.11.2020 is modified to the extent that one surety for an amount of ₹2 lakhs is to be substituted with one surety for an amount of ₹1 lakh subject to the satisfaction of the Area MM / Duty MM / Link MM. Once fresh surety for an amount of ₹1 lakh is provided, learned Magistrate is directed to release the surety given by Mr. Sanjay Mittal.

6. The petition is disposed of in the above terms.

AMIT MAHAJAN, J

JANUARY 23, 2024
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