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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3200/2024**
MOHAMMAD IMRAN

.....Petitioner

Through:
versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP

SI Vipin Kumar, PS IGI Airport

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
25.11.2024

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1. This is an application file under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking grant of anticipatory bail in FIR No. 537/2024, under Sections 318(4)/336(3)/340(2) of BNS & 12 PP Act & 14 Foreigners Act, registered at Police Station- IGI Airport.
2. As per the case of the prosecution, petitioner's passport bearing No. M7158161 was misused by a co-accused Mustafizur Rahman (a Bangladeshi National) who impersonated the petitioner and was apprehended at immigration centre at IGI Airport.
3. It is stated that the petitioner's passport was handed over to the agent for visa purpose to go to Dubai and was never returned by the travel agent and hence, was subsequently misused.
4. In the present case, the petitioner is the one whose passport has been misused by somebody else.
5. Pursuant to the protection granted by this Court on 05.09.2024, the



petitioner has participated in the investigation and cooperated with the same.

6. I am informed that the charge sheet has been filed.

7. For the said reasons, I am of the view that there is no requirement of custodial interrogation of the petitioner.

8. Keeping in view the aforesaid facts and circumstances of the present case, the present petition is allowed. It is directed that in the event of arrest, the petitioner be released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of like amount to the satisfaction of the concerned Investigating Officer and also subject to the following further conditions:-

- i. At the time of furnishing bail bond, the petitioner shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- ii. The petitioner will furnish his permanent address to the IO and in case he changes his address, he will inform the IO concerned and this Court also;
- iii. The petitioner shall join the investigation as and when asked.
- iv. The petitioner shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v. The petitioner shall regularly appear in Court as and when directed.

9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present petition.



10. The petition is disposed of in aforesaid terms.

NOVEMBER 25, 2024/sp

JASMEET SINGH, J

Click here to check corrigendum, if any