

CRM (DB) 3331 of 2022
with
IA No. CRAN 5 of 2025

In re: An application for relaxation of conditions of bail.

- A n d -

In the matter of : Shubhika Surana

.... Appellant.

Mr. Supriyo Chowdhury,
Mr. K. De,
Mr. R. Munshi,
Mr. M. Majumder,

... For the appellant/applicant.

Mr. Rudradipta Nandi,
Mr. S. Chakraborty,

... For the State.

Dictated by Arijit Banerjee, J:-

Re : IA No. CRAN 5 of 2025

1. By an order dated September 30, 2022, a Coordinate Bench had granted bail to the present applicant on, inter alia, the condition that she shall deposit her passport with the Investigating Officer.

2. The applicant says that she duly deposited her passport with the Investigating Officer immediately after the order was passed. The passport is still lying with the Investigating Officer. It is causing undue inconvenience and hardship to her since about three and half years have elapsed since she deposited the passport. The investigation seems to be never ending. She was permitted to travel to the U.K. by a Coordinate Bench on certain conditions. She duly travelled to the U.K. complying with all such conditions and upon return again she deposited her passport with the Investigating Officer. Since there is no certainty when the investigation will conclude, in all fairness, the passport should be returned to her.

She undertakes to approach the learned Trial Court for permission to travel out of the country if she is required to do so. If the learned Trial Court permits, she will comply with all conditions that the Trial Court may impose.

3. Learned State Advocate strongly opposes the prayer for return of passport. He says that forensic audit is going on and the investigation will conclude soon. He says that he has no objection if the applicant approaches the learned Trial Court for leave on every occasion when she needs to go abroad and the learned Trial Court may grant such leave on conditions. However, return of the passport to the applicant will not be safe.

4. We have considered the rival contentions of the parties. We are of the view that the applicant should make her prayer for return of passport before the learned Trial Court. If such a prayer is made, upon notice to the State, the learned Trial Court shall decide such prayer in accordance with law, taking a reasonable view in the matter, without being influenced by the fact that the deposit of the passport was ordered by the High Court.

5. CRAN 5 of 2025 stands disposed of.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)