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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2729/2025

STATE OF NCT OF DELHI

.....Petitioner

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav and Mr. Lalit
Luthra, Advs.

versus

PRAVEEN SAINI

.....Respondent

Through: Mr. Sumit Sharma and Mr.
Narender, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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09.05.2025

1. By the present petition, the petitioner/State seeks cancellation of bail granted to the respondent by this Court by order dated 26.07.2023 passed in BAIL APPLN. 2321/2022, modified by this Court by order dated 31.01.2025, in FIR No. 64/2018 dated 19.05.2018, registered at Police Station Special Cell for offences under Sections 22/23/29/38 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

2. The learned counsel for the respondent submits that the respondent was only travelling to Nepal and he was caught at the Airport.

3. He submits that the conditions imposed by this Court by order dated 26.07.2023 were modified by a subsequent order dated 31.01.2025, wherein restriction on the accused from moving out of Delhi NCR was withdrawn.

4. He submits that the respondent was however

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impression, he wanted to travel to Pashupatinath Temple (Nepal).

5. This Court, by order dated 31.01.2025, modified certain conditions as imposed by this Court by order dated 26.07.2023, however, restriction on the respondent to not leave the country without permission of the learned Trial Court was not disturbed.

6. Concededly, the respondent tried to leave the country and was caught at the Airport since a look out circular had been opened against him. Respondent, therefore, has admittedly violated the conditions imposed by this Court while granting bail. Though it is contended that the erstwhile counsel had communicated to the contrary, the justification is not acceptable.

7. This Court however is of the opinion that bail which was granted to the accused / respondent by order dated 26.07.2023, ought not to be cancelled and the respondent should not be remanded back to the custody. Any future violation or any attempt to flee should be secured by putting stringent conditions.

8. In view of the above, the order dated 31.01.2025 modifying the conditions imposed by the order dated 26.07.2023, is recalled and the conditions as imposed by the order dated 26.07.2023 granting bail to the respondent are restored.

9. It is made clear that in case the respondent is again found violating any of the conditions imposed by this Court, the State is at liberty to file an appropriate application seeking cancellation of the order dated 26.07.2023.

10. The present petition is disposed of with the aforesaid observations.

AMIT MAHAJAN, J

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MAY 9, 2025 / 'KDK'

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