

# Asif Malkani vs Union Of India on 13 January, 2020

**Bench: Rohinton Fali Nariman, S. Ravindra Bhat**

ITEM NO.5+44

COURT NO.4

SECTION X

S U P R E M E C O U R T O F  
RECORD OF PROCEEDINGS

I N D I A

IA No. 196868/2019 in Writ Petition(Criminal) No. 353/2019

ASIF MALKANI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(ONLY I.A NO. 196868/2019 CLARIFICATION /DIRECTION TO BE LISTED)

WITH

W.P.(CrI.) No. 357/2019 (X)

(ONLY IA No. 196861/2019 – CLARIFICATION/DIRECTION TO BE LISTED)

W.P.(CrI.) No. 361/2019 (X)

(ONLY IA No. 196854/2019 – CLARIFICATION/DIRECTION TO BE LISTED)

Date : 13-01-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s)

Mr. Chayan Sarkar, Adv.

Mr. Rovins Fr. Verma, Adv.

Ms. Anzu. K. Varkey, AOR

For Respondent(s)

Mr. A. K. Kaul, Adv.

Mr. Vikas Bansal, Adv.

Mr. Raj Bahadur Yadav, Adv.

Mr. Rahul Chitnis, Adv.

Mr. Aaditya A. Pande, Adv.

Mr. Sachin Patil, Adv.

Mr. Haris Beeran, Adv.

Mr. Mushtaq Salim, Adv.

Mr. Usman Ghani Khan, Adv.

Signature Not Verified  
Digitally signed by R  
NATARAJAN

Mr. Azhar Assees, Adv.

Date: 2020.01.14

17:30:21 IST

Reason:

Mr. R. S. Jena, Adv.

UPON hearing the counsel the Court made the following

IA No. 196868/2019 in  
Writ Petition(Criminal) No. 353/2019 etc.

O R D E R

I.A No. 196868/2019 and IA No.191190/2019 IA No. 196861/2019 and IA No. 191563/2019 IA No. 196854/2019 and IA No. 193298/2019 For the reasons stated in the applications seeking bail, the petitioners be released on bail forthwith in the following respective FIRs, subject to the satisfaction of the concerned trial Court at Delhi, on each furnishing a personal bond of Rs. 1 lakh and one surety of the like amount:

(1) FIR No. 133/ 2017 PS Crime Branch, New Delhi. (2) FIR No. 797/2018 PS Dahisar, Mumbai. (3) FIR No. 343/2018 PS Ludhiana, Punjab.

A sum of Rs. 15 lakhs each will be deposited by the petitioners in the Registry of this Court within a period of six months from today which amount shall be kept in an interest bearing short-term fixed deposit of a nationalised Bank.

The conditions for grant of bail, inter alia, are as follows:

(1) That the accused shall not commit any offence similar to the offence of which he is accused; (2) That the accused shall not directly or indirectly make any inducement, threat or promise to any IA No. 196868/2019 in Writ Petition(Criminal) No. 353/2019 etc. person acquainted with the facts of the case so as to dissuade such person from disclosing such facts to the Court or to any police officer or tamper with the evidence;

(3) That the accused shall join further investigation as and when required by the Investigating Officer or by the Enforcement Directorate;

(4) That the accused will deposit his passport with the Registry of this Court within a period of one week from today. If it is with the Pune Police, Cyber Cell or with any other authority, they shall deposit the aforesaid passport with the Registry of this Court within the aforesaid period; (5) That the accused shall not in any manner use any digital wallet in his name or in any of his associates' name or do any trading or mining to misappropriate BITCOIN in any manner whatsoever. (6) That the accused will report on every Monday of a week to the concerned Police Station at Delhi.

The interlocutory applications stand disposed of.

(NIDHI AHUJA)  
COURT MASTER (SH)

(PARVEEN KUMARI PASRICHA)  
BRANCH OFFICER