

Anil Kumar @ Nillu vs State on 8 July, 2022

Author: Talwant Singh

Bench: Talwant Singh

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CRL.M.C. 3058/2022 & CRL.M.A. 12853/2022
ANIL KUMAR @ NILLU

..... Petitioner

Through: Mr. Piyush Gupta and Ms. Himanshu Batheja, Advocates.

versus

STATE

..... Respondent

Through: Ms. Meenakshi Chauhan, APP for State with SI Thakur Singh, S Cell, South-West Region.

CORAM:

HON'BLE MR. JUSTICE TALWANT SINGH
ORDER

% 08.07.2022

1. This is a petition under Section 482 Cr.P.C. seeking modification of the conditions imposed in the judgement dated 21.03.2022 while granting bail in the BAIL APPLN. No. 1724/2021. The said conditions are reproduced here under:

"a) The Petitioner shall furnish a personal bond in the sum of Rs. 1,00,000/- with two sureties of the like amount, one of them should be the relative of the Petitioner, to the satisfaction of the Trial Court;

b) The Petitioner is directed to deposit his passport with the Trial Court.

c) The Petitioner is directed to reside in Delhi till further orders and the address shall be verified by the learned Trial Court at the time of acceptance of bail bonds.

d) The Petitioner shall report to the concerned Police Station twice in a week, that is, on every Wednesday and Friday at 10:30 AM, and the Police is directed to release him by 11:00 AM after recording his presence .and completion of all the necessary formalities;

e) The Petitioner shall not leave NCT of Delhi without the prior

-permission of the trial Court;

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f) The Petitioner is directed to give all his mobile numbers to the Investigating Officer and keep them operational at all times;

g) The petitioner shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner;

h) In case it is established that the Petitioner has indulged similar kind of offences or tried to tamper with the evidence, the bail granted to the petitioner shall stand cancelled forthwith."

2. Learned counsel for the petitioner requests that the condition Nos. (c) and (d) be modified to the extent that the petitioner may be allowed to go and reside with his family in Himachal Pradesh and instead of marking his presence before the concerned Police Station twice a week, he may be allowed to mark his presence once a month before the concerned Police Station of his native village in Himachal Pradesh. 2.1 In my view, these two conditions cannot be modified because the learned predecessor of this Court was well aware that the petitioner is a permanent resident of Himachal Pradesh and these conditions were imposed keeping in view the nature of allegations against the present petitioner, which are quite serious in nature and the fact that the trial is to be conducted in Delhi.

3. No ground for modification is made out. The petition is accordingly dismissed.

TALWANT SINGH, J JULY 8, 2022 pa [Click here to check corrigendum](#), if any