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CRM-M-24784-2023
DINESH KUMAR V/S STATE OF HARYANA

Present

Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Gurmeet Singh, A.A.G., Haryana.

Counsel for the petitioner submits that interim order be extended and he would have no objection to the conditions, i.e., declaration of assets by the petitioner(s) and their spouse, and are also voluntarily agreeable to the condition that till the conclusion of the trial, the petitioner(s) shall keep only one mobile number, which is mentioned in AADHAR card, if any, and within fifteen days undertakes to disconnect all other mobile numbers.

Given the candid statement of counsel for the petitioner interim order dated 16.05.2023 is extended till the next date of hearing subject to the following conditions:

1.
- On the next date, the petitioner shall handover his two notarized affidavits, and also two notarized affidavits of his spouses(s) if any, [One set for Investigator and one for the petitioners’ employer], mentioning the complete following details, held either individually or jointly. ***If the petitioner fails to comply with this condition, then on this ground alone, this Court shall consider to recall the order.*** The petitioner and his spouses(s) to declare their all assets in the following formats in Rupees (INR):

Total value of all net worth as on 31 Mar 2023	
Current total value of all net worth	
Cash in hand as on date (Indian Rupee)	
Cash in hand as on date (All other currencies)	
Details of all bank accounts	
Current amount in cash, savings, checking, deposit accounts and crypto currency	
Total Value of equity shares & mutual funds as on 31 Mar 2023	
Current total Value of equity shares & mutual funds	
Total Value of recurring deposit, fixed deposits, bonds, pension plans, & annuity insurance policies as on 31 Mar 2023	
Current total Value of recurring deposit, fixed deposits, bonds, pension plans, & annuity insurance policies	
Current total market value of all jewellery, sovereign metals, artefacts, antiques etc.	
Current total market value of property including buildings, land etc. its area and location	
Total income in FY 2022-23 including farms, agriculture, horticulture, wages, salaries, commissions, interests, royalties, rent, income, or gifts received from other family members	
Enter the details of vehicles owned or in possession	
Any other asset or income	
Total liabilities as on 31 March 2023 (Including loans)	
Current total liabilities (Including loans)	
Approximate expenditure during FY 2022-23	
Any other expenses	

2. The petitioner is directed not to keep more than one prepaid SIM, i.e., one pre-paid mobile phone number, till the conclusion of the trial; however, this restriction is only on prepaid SIMs [mobile numbers] and not on post-paid connections or landline numbers. The petitioner(s) must comply with this condition within fifteen days. In case, the condition is not complied with within 15 days, then the concerned DySP shall direct all the telecom service providers to deactivate all prepaid SIM cards and prepaid mobile numbers issued to the petitioner(s), except the one that is mentioned as the primary number/default number linked with the AADHAAR card and further that till no objection from the concerned SHO, the mobile service providers shall not issue second pre-paid SIM/ mobile number in the petitioner's name. Since, as on date, in India, there are only four prominent mobile service providers, namely BSNL, Airtel, Vodafone-Idea, and Reliance Jio, any other telecom service provider are directed to comply with the directions of the concerned Superintendent of Police/Commissioner of Police, issued in this regard and disable all prepaid mobile phone numbers issued in the name of the petitioner, except the main number/default number linked with AADHAR, by taking such information from the petitioner's AADHAR details or any other source, for which they shall be legally entitled by this order. This condition shall continue till the completion of the trial or closure of the case, whichever is earlier. In Vernon v. The State of Maharashtra, **2023 INSC 655**, [para 45], while granting bail under Unlawful Activities (Prevention) Act, 2002, Supreme Court had directed imposition of the similar condition, which reads as follows, "(d) Both the appellants shall use only one Mobile Phone each, during the time they remain on bail and shall inform the Investigating Officer of the NIA, their respective mobile numbers."

List on 18.09.2023.

11.09.2023

jyoti-II

(ANOOP CHITKARA)

JUDGE