

**IN THE COURT OF MS. NIRJA BHATIA: SPECIAL JUDGE (PC
ACT) CBI -03, ROUSE AVENUE DISTRICT COURTS: NEW
DELHI.**

CBI Vs. Seema Mutneja
R/CC No. 75/2019
IA No. 2/2021

10.03.2022

Present: Sh. Praneet Sharma, Id. Sr. PP for CBI
Sh. Sandeep Kumar, Advocate on behalf of the applicant
Mrs. Soma Das, Manager, Bank of Baroda, BH-29,
Shalimar Bagh Branch New Delhi

ORDER

1. By this order I shall decide the application moved on behalf of the applicant / surety namely Bhagya N Aithal, wife of deceased/accused K.N. Aithal for release / withdraw of the surety document i.e. FDRs for accused K.N. Aithal to the banker / account of the applicant /surety namely Bhagya N. Aithal.
2. It is averred in the application that the applicant Bhagya N Aithal stood surety for the accused K.N. Aithal and had furnished the bail bond. It is further averred that the accused has already been expired and surety was discharged vide 27.11.2021.

3. It is further averred that the applicant seeks release of the surety documents i.e. FDRs bearing No. 501743 and 501744 in the sum of Rs. 25,000/- each of Bank of Baroda, Shalimar Bagh, New Delhi.
4. It is submitted by Id. Counsel for the applicant that the applicant shall suffer an irreparable loss if the surety documents are not released and prayed to allow the present application.
5. Ld. Sr. PP submits that he has no objection if the present application is allowed.
6. I have heard the submissions from both the sides. Vide order dated 25.10.2021 the proceedings against the accused K.N. Aithal are abated since death verification report of the accused was received on record informing that he had passed away on 25.08.2021 and the surety was ordered to be discharged.
7. In compliance of the notice issued to the Bank Manager for verification of the above mentioned FDRs, Mrs. Soma Das, Manager from Bank of Baroda, Shalimar Bagh Branch, New Delhi has appeared and confirmed that the details submitted by the applicant / surety namely Bhagya N Aithal are correct as per report.

8. In view of the above, let the FDRs bearing No. 501743 and 501744 in the sum of Rs. 25,000/- each of Bank of Baroda, Shalimar Bagh, New Delhi be released by the Bank to the account of the applicant /surety namely Bhagya N Aithal after complying necessary formalities. The original FDR be given to HIO/Insp. Sushil Kumar for compliance.
9. In view of the aforesaid, the present application is allowed and disposed of accordingly.
10. Copy of the order be given *dasti* to Id. Counsel for the applicant.

(Nirja Bhatia)

Spl. Judge PC Act (CBI)-03
RADC, New Delhi/10.03.2022