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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 400/2023**

R L VARMA AND SONS HUF AND ANRDPetitioner
Through: **Mr. Deepanshu Gupta, Adv.**
(Through VC)

versus

STATE AND ANRRespondent
Through: **Ms. Divya Jyoti Singh, Adv. for R-2**
(Through VC)
R-2 in person alongwith Ms. Rashmi
Dutta/Surety

CORAM:
REGISTRAR GENERAL SH. ARUN BHARDWAJ

% **ORDER**
23.03.2026

CM No.3380/2026

1. The present application has been filed by respondent No.2 under Section 528 BNSS, 2023 seeking release of the entire amount deposited by the petitioner in terms of order dated 18.12.2025 passed by the Hon'ble Court.
2. Vide order dated 18.12.2025, the Hon'ble Court has, *inter alia*, directed as under:-

“.....

3. *The amount deposited by the petitioners is directed to released in favour of the respondent no.2, on the respondent no.2 fling an undertaking in the form of an affidavit, and also giving one surety for the amount to be released, that in case the petitioners succeed, the amount will be refunded by the respondent no.2 with reasonable interest.”*



3. As per office report, an amount of ₹3,35,000/- is lying deposited in this case in the form of FDR.
4. At this stage, learned counsel for the petitioners submitted that he has no objection to the release of the principal amount in favour of respondent No.2 but the interest accrued on the same may not be released to him and be kept in the form of an FDR.
5. In compliance of the aforesaid order, respondent No.2/Rajen Dutt placed on record surety bond dated 18.03.2026 of his sister Ms. Rashmi Dutta/surety alongwith an undertaking by way of an affidavit dated 05.02.2026 for the release of the aforesaid amount deposited in this case by the petitioners.
6. Learned counsel for respondent No.2 submitted that the surety is drawing a pension of Rs.29,891/- per month, being a dependant unmarried daughter of late army officer Mr. K.C. Dutta and has also furnished her car as security in this case as well as in Crl. Rev. P. 400/2023.
7. Respondent No.2 and the surety/Rashmi Dutta appeared in person and their statements to this effect have been recorded separately and they have been identified by their counsel through video conferencing. The relevant documents pertaining to the pension of the surety and original RC of her car bearing No. DL3CCR0806 make Maruti Espresso VXi+ model 2019 have been placed on record. The Deputy Registrar concerned is directed to keep the aforesaid original RC in his safe custody.
8. In view of the above, surety bond and the undertaking furnished by respondent No.2 are hereby accepted subject to the condition that in case petitioners succeed in the present case, respondent No.2 shall refund the



released amount alongwith reasonable interest to the petitioners in terms of the aforesaid order of the Hon'ble Court, failing which, the same shall be recovered from the surety or by putting the aforesaid car on sale.

9. The Deputy Registrar (Criminal) is directed to issue a certificate to respondent No.2 mentioning therein that the original RC of car bearing No. DL3CCR0806 make Maruti Espresso VXI+ model 2019 of Ms. Rashmi Dutta is given as security in this case and original of the same has been retained by this court.

10. In view of the above, Registrar (B&A) is directed to release the amount of ₹3,35,000/- to the bank account of respondent No.2, the details of which have been supplied by him in the form of a cancelled cheque pertaining to the bank account opened by him in UCO Bank, Delhi High Court branch, in terms of the aforesaid order passed by the Hon'ble Court after due verification.

11. The application stands disposed of.

ARUN BHARDWAJ
REGISTRAR GENERAL

MARCH 23, 2026

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