

*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPL. NO. 728/2011

Date of Decision : 24.11.2011

OM PRAKASH

.....Petitioner

Through: Mr. Sunil Sharma, Adv.

Versus

STATE

.....

Respondent

Through: Mr. U. Garg, Adv. for the
complainant

CORAM :

HON'BLE MR. JUSTICE V.K. SHALI

V.K. SHALI, J. (Oral)

1. This is an application for grant of anticipatory bail by the petitioner in respect of FIR No. 96/2011, under Section 420/34 IPC registered by P.S. Neb Sarai, Delhi. The allegations are that the father of the petitioner Hiralal had cheated the complainant for a sum of ₹20,00,000/- by inducing him to part with the said amount on account of sale of his property bearing no. 22A, Khasra No. 420 situated at Khanpur Village, Delhi measuring 300 sq. yards. Out of the aforesaid amount, a receipt for a sum

of ₹2,50,000/- is purported to have been shown on account of loan being taken by the accused person from the complainant. For the balance, there is no receipt as it was given in cash. The receipt has the signatures of two persons, namely, Surender and Omprakash. Surender and Omprakash are stated to be the sons of Hiralal. It is the case of the complainant that the father Hiralal and his sons in unison cheated the complainant. After agreeing to sell the property in favour of the complainant, the petitioner and the other co-accused are stated to have become dishonest and sold the property to some third party for a sum of ₹6 crore and 80 lakhs and taken a sum of ₹25,00,000/- as an advance whereupon the present FIR has been got registered.

2. The anticipatory bail applications of Hiralal and Surender have already been rejected by this Court on 17.10.2011. There is no reason to take a different view, so far as the petitioner is concerned, as the allegations against him are also serious. The petitioner has relied upon an

order passed in bail application No. 2512/2009 and 2514/2009 to pray for bail.

3. I have gone through the said order, no parallel of facts in the case of **Smt. Durgesh Bansal Vs. State** and the present petition cannot be drawn. Accordingly, the anticipatory bail application is dismissed.

V.K. SHALI, J.

NOVEMBER 24, 2011
KP