

3 & 4

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

+ BAIL APPLN. 1187/2013

KRISHAN KUMAR BATRA Petitioner
Through : Mr. Arvind Nigam Sr. Advocate
with Mr. Vishal Gosain and
Mr. Vikram Pradeep, Advocates

AND

+ BAIL APPLN. 1188/2013

KULDEEP SINGH KAPUR Petitioner
Through : Mr. Rakesh Tikku, Sr. Advocate with
Mr. Chetan Lokur, Mr. Mayank Mikhail
Mukherjee and
Mr. Abhishek Vikram, Advocates

versus

STATE Respondent
Through : Mr. Mr. Naveen Sharma, APP for
the State with Insp. V.P. Jha, PS Mehrauli.
Mr. Ramesh Gupta, Sr. Advocate with
Mr. Tanveer Mir, Mr. Prashant Mehta and
Mr. Himanshu Kapoor, Advocates for
the complainant.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

%

29.07.2013

**CRL.M.A.No.9991/2013 (Exemption) in BAIL APPLICATION NO.
1187/2013 and CRL.M.A.No.9992/2013 (Exemption) in BAIL
APPLICATION NO. 1188/2013**

Subject to the petitioners filing the certified copies of the documents placed on record within four weeks, the applications are allowed and disposed of.

Bail Applications No. 1187/2013 & 1188/2013

Page 1 of 3

4

BAIL APPLICATION NO. 1187/2013 and
BAIL APPLICATION NO. 1188/2013

1. The present bail applications have been filed by the petitioners under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.344/2013 registered under Sections 408/420/467/468/471/120B IPC at PS Mehrauli, Delhi.

2. Learned Senior Advocates appearing for petitioners state that the dispute, subject matter of the present complaint, is largely civil in nature and the complainant, who is a permanent resident of United Kingdom, has instituted a civil suit on the original side of this Court, which is pending consideration. They submit that an interim order was passed in the said suit, directing that no third party interest shall be created in respect of property bearing No.NH-1, Community Centre, Friends Colony, New Delhi, a property belonging to the family held trust of which the complainant was also a trustee. It is further stated that both the petitioners have been cooperating in the investigation and they have been appearing before the IO as and when called.

3. A detailed status report has been filed by the State. Learned APP for the State, on instructions from the IO, confirms the fact that the petitioners have been joining the investigation as and when called and their presence shall be required in the future too as the

investigation is still at the nascent stage. He states that if the custodial investigation of any of the petitioners is required, then they shall be put to notice at least 10 days in advance.

4. In view of the submissions made by the learned Senior Advocates appearing for the petitioners that the petitioners have been joining investigation, which fact is not denied by the learned APP for the State, it is directed that in the event of arrest, the petitioners shall be released on bail, subject to their furnishing a personal bond in the sum of ₹50,000/- each with one surety each in the like amount, to the satisfaction of the investigating officer/arresting officer. Needless to state that the petitioners shall fully co-operate in the investigation and will not create any hindrance or impediment during the course of investigation. Further, the petitioners shall not leave the country without informing the IO.

5. The petitions are allowed and disposed of.

Dasti.

HIMA KOHLI, J

JULY 29, 2013

sk