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

Date of Decision: May 18, 2015

+ **CRL.M.C. 2085/2015 & CrI.M.A.7418/2015**

AVINASH SHARMA @ BRIJESH KEDIA Petitioner
Through: Mr. Daviender Hora and Mr.
Sikandar Khan, Advocates

versus

STATE OF NCT OF DELHI Respondent
Through: Mr. Karan Singh, Additional
Public Prosecutor for respondent-
State with Inspector Ravinder
Ahlawat

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Impugned order of 13th January, 2015 grants conditional bail to petitioner in offence of cheating, etc. in FIR No.49/2013 registered at P.S. Karol Bagh, New Delhi. The condition imposed is that subject to petitioner depositing a sum of rupees fifteen lac with the trial court, he be released on bail.

Learned counsel for petitioner submits that the imposition of condition of depositing a sum of rupees fifteen lac is onerous and petitioner is unable to deposit as he comes from a poor family.

Upon notice, learned Additional Public Prosecutor for respondent-State submits that petitioner is involved in six more FIRs for these very offences and in respect of property in question and infact, he does not deserve bail on merits.

Learned counsel for petitioner submits that the FSL report is not forthcoming and the said report would reveal that there is no forgery angle.

Let FSL report be obtained on priority.

In the facts and circumstances of this case, impugned order of 13th January, 2015 is quashed with direction to trial court hear petitioner afresh on the application for bail and to grant or not to grant bail on merits without imposing an such onerous condition.

With aforesaid directions, this petition and the application are disposed of.

Trial court be apprised of this order forthwith.

Dasti.

(SUNIL GAUR)
JUDGE

MAY 18, 2015

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