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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 939/2015**
RAJESH ANAND

..... Petitioner

Through: Mr.Zafar Sadique, Adv.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.M.P. Singh, APP for the State.
with SI Manoj Singh, PS Mehrauli

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **27.08.2015**

Heard the counsel for the parties.

The petitioner seeks bail in FIR No.888/2013 dated 10.11.2013 (P.S. Mehrauli) instituted for offences under Sections 420, 471, 448, 468 and 34 of the IPC.

The petitioner is in custody since 12.9.2014.

It has been alleged against the petitioner that he agreed to purchase the property of the complainant for a sum of Rs.80 lakhs. As part of the agreement, initially an amount of Rs.5 lakhs was paid by him which was accepted by the complainant. Thereafter the balance amount was paid through cheque which was not honoured because of 'insufficiency of funds'. One of such cheques was given by the co-accused Atul Bakshi.

It has been submitted on behalf of the petitioner that with respect to dishonour of cheques complaint under Section 138 of Negotiable Instruments Act, 1881 has been filed and it is at the pre-summoning stage. It has further been submitted that the complainant has filed a civil suit for permanent injunction before the High court on 15.4.2013 vide CS(OS) 1291/2013.

Co-accused Atul Bakshi is stated to be on bail. The petitioner, apart from the merits of the case, submits that he has had a massive heart attack and is not keeping fit in the jail.

Considering the aforementioned facts, this Court is inclined to release the petitioner on bail.

Let the petitioner be released on bail on his furnishing a bond in the sum of Rs.10,000/- with two sureties of like amount to the satisfaction of the Trial Court.

The petitioner would participate in the trial and would not cause any delay in conclusion of the trial. In case of such an attempt by the petitioner, liberty is given to the prosecuting agency to seek cancellation of bail granted to the petitioner.

The application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

AUGUST 27, 2015/ns