

\$~13

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

Judgment delivered on: 16th July, 2015

+ BAIL APPLN. 1313/2015

BRIJ BHUSHAN SHARMA Petitioner

Represented by: Mr.Ramesh Gupta, Senior
Advocate with Mr. Rajeev
Kumar, Advocate.

Versus

STATE, NCT OF DELHI Respondent

Represented by: Mr.Ravi Nayak, Additional
Public Prosecutor for the State
with SI Kuldeep Yadav, P.S.
Connaught Place.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

SURESH KAIT, J. (Oral)

1. By way of this petition filed under Section 439 of the Code of Criminal Procedure, 1973, petitioner seeks bail in case bearing FIR No.75/2015 registered at Police Station Connaught Place for the offences punishable under Sections 279/337/420/468/471 read with Section 120-B IPC.

2. Facts of the case are that on 26.03.2015, the petitioner was driving a vehicle bearing No. DL-9C-U-3400 (SUV-Fortuner) in a very fast speed rashly and negligently and hit a person. Accordingly, the FIR in question was registered against the petitioner, under Sections 279/337 IPC. Since during investigation, it was found that

the petitioner is the third owner of the vehicle in question, which was transferred in his name on the basis of the forged documents, therefore, Sections 420/468 and 471 IPC were added subsequently.

3. As per the status report filed by SHO, Police Station Tilak Marg, co-accused Niraj Kumar Singh was arrested on 22.06.2015 on the instance of the petitioner. During interrogation, the said co-accused confessed that he took Rs.40,000/- to get the car transferred in favour of the petitioner on Delhi address and accordingly, gave all the documents qua transfer of car to one person, namely, Ramnik Chahal, who works as his Broker. The co-accused further disclosed that the said Ramnik Chahal himself arranged the forged documents qua Delhi residential address of the petitioner and for that purpose he gave Rs.3,000/- to Ramnik Chahal.

4. As submitted, if the vehicle in question bearing Delhi number would have been transferred by the petitioner at his Haryana address, he would have to spent around Rs.2,50,000/- for the same. Thus, by getting the vehicle transferred in his name at Delhi address on the basis of the forged documents, as advised by the Financer, the petitioner has saved around Rs.2,00,000/-.

5. No doubt, the Financer and other persons cannot be blamed for the wrong deeds of the petitioner for the reason he himself was ready to get the car transferred on Delhi address in his favour on the basis of the forged documents. However, keeping in view the facts that the petitioner is in custody since 20.06.2015, investigation is at the initial stage, custodial interrogation is not required and the trial will take

substantial time, the petitioner has made out a case for releasing him on bail.

6. Accordingly, the instant petition is allowed.

7. Consequently, petitioner shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court.

8. A copy of this order be given *dasti* to the learned counsel for the parties.

**SURESH KAIT
(JUDGE)**

JULY 16, 2015
sb