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

+ **BAIL APPLN. 1409/2015**

SUDHANSHU SINGH Petitioner
Through **Mr. Vijay Kumar, Adv.**

versus

STATE (NCT) OF DELHI Respondent
Through **Mr. M.P. Singh, APP for the State.**
ASI Devender Singh PS New Friends Colony.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% 17.12.2015

The petitioner, by the aforesaid petition, has sought anticipatory bail in connection with FIR No.528/2015 (PS New Friends Colony) instituted for offences under Sections 406/420 of the IPC.

The petitioner is the Managing Director of a company, run under the name and style of M/s Immigration Overseas Private Ltd. which is incorporated under the Indian Companies Act and has its corporate office at New Friends Colony, New Delhi. The company of the petitioner provides consultancy services to persons desiring such advice.

It has been submitted on behalf of the petitioner that the company does not provide any job or promises any business of manpower supply.

The complainant, a qualified dentist, had sought consultancy services from the company. It is alleged by her that because of wrong advice, she underwent a loss of Rs.90,000 and also wasted one year awaiting correct

response from the petitioner.

Learned counsel for the petitioner, however, submits that assuming every allegation in the FIR to be true, no offence either under Section 406 or 420 of the IPC can at all be made out. It is further submitted that the application of the complainant was rejected on some other account. No wrong advice was tendered by the petitioner.

However, taking note of the fact that complainant has lost one year and money which was quantified at Rs.90,000/-, the petitioner has agreed to pay and has handed over a cheque of Rs.90,000/- to the complainant who is present in the Court. The aforesaid cheque has been accepted by her.

There are some reservations of the complainant regarding the danger of non-encashment of the aforesaid cheque.

Learned counsel appearing for the petitioner, however, has submitted that the petitioner has sufficient balance in his account for the cheque to be honoured.

In case, the cheque is not honoured, it would be open for the complainant to come before this Court to have this order modified.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his arrest, on his furnishing a bond in the sum of Rs.10,000/- with two sureties of the like amount, to the satisfaction of the arresting officer/SHO of the concerned police station.

The application is allowed and disposed of accordingly.

Dasti.

ASHUTOSH KUMAR, J

DECEMBER 17, 2015

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