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

Date of Decision: September 04, 2015

+ **CRL.M.C. 3638/2015**

M/S KAPIS IMPESX PVT LTD Petitioner
Through: Mr. S.K. Sharma, Advocate

versus

VIPIN KOHLI & ANR Respondents
Through: Ms. Manjeet Arya, Additional
Public Prosecutor for respondent-
State
Mr. Puneet Kaushik, Advocate for
respondent No.1

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

% **JUDGMENT**
(ORAL)

Petitioner claims to be the complainant of FIR No.391/2014 under Sections 420/408/120-B of IPC registered at P.S. Preet Vihar, Delhi and is aggrieved by impugned order of 16th May, 2015 vide which he has been directed to deposit a sum of ₹16 lacs by way of FDR. Vide aforesaid order, respondent-accused has been also directed to deposit a sum of ₹15 lacs by way of FDR.

Learned counsel for petitioner-complainant submits that the Sessions Court gives no reason for directing petitioner--complainant to

deposit a sum of ₹16 lacs by way of FDR. Even learned counsel for respondent-accused submits that respondent-accused has no means to deposit a sum of ₹16 lacs by way of FDR.

Learned counsel for petitioner-complainant submits that the impugned order does not give any valid justification as to why petitioner-complainant should deposit the amount of ₹16 lacs allegedly admitted received by him because he has yet to receive the remaining amount of ₹15 lacs from the respondent-accused. This is disputed by learned counsel for respondent-accused, who submits that he is not liable to pay any such amount.

Be that as it may. Since petitioner-complainant has come to this Court against the impugned order, therefore, the condition imposed in the impugned order directing petitioner-complainant to deposit ₹16 lacs by way of FDR is hereby quashed as it is not supported by any valid reason/justification.

The petition is accordingly disposed of.

(SUNIL GAUR)
JUDGE

SEPTEMBER 04, 2015

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