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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 183/2016

MANORANJAN SEHGAL

..... Petitioner

Represented by: Mr. Satykam Sisodia for
Mr. B.S. Rana, Advocate.

Versus

THE STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr.Ashish Dutta, Additional
Public Prosecutor for the State
with SI Sandeep Singh, P.S.
Bharat Nagar.
Mr.Navin Sharma, Advocate
for Complainant.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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09.03.2016

Crl.M.A. No.1307/2016 (for exemption)

Exemptions allowed, subject to all just exceptions.

Accordingly, the application is allowed.

BAIL APPLN. 183/2016

1. On the last date of hearing, i.e., 02.02.2016, this Court passed the order as under:-

"1. By way of the present petition filed under Section 438 Cr.P.C., petitioner seeks directions thereby granting him anticipatory bail in case FIR No. 24/2010, registered at PS-Bharat Nagar for the offences punishable under Sections 420/468/471/448/380/560/120B/34 IPC.

2. It is not in dispute that due to the settlement earlier arrived at between the parties on 04.03.2011, petitioner was granted bail vide order dated 15.03.2011, but he failed to fulfil

the conditions of the MOU, which was one of the conditions for grant of bail. Thereafter also, neither the petitioner fulfilled the conditions of MOU nor joined the investigation. Therefore, process under Section 82 and 83 Cr.P.C. has been issued against him.

3. *Though, the present petition is not maintainable as the petitioner was already granted bail on 15.03.2011, however, without commenting on the maintainability of the case, ld. Counsel for the petitioner submits that the petitioner is ready to pay the balance amount of Rs.39,00,000/- within four weeks from today with interest @ 12% per annum from December, 2011 till the date of payment. Failing which, he will not agitate the present petition before this court.*

4. *The complainant is personally present in the Court through his Counsel, though he is not a party in the instant petition. He submits that he has no objection if the petitioner deposits the amount as stated by his counsel.*

5. *In view of above, petitioner is directed to make the payment of Rs.39,00,000/- with interest @ 12% per annum from December, 2011 till February, 2016 within the time sought."*

2. Despite the aforesaid order, the petitioner has not paid any amount to the complainant.

3. From the conduct of the petitioner, it seems that he is not serious to the commitments made in the settlement and statements made before this Court.

4. In view of the above, I am not inclined to pass order in the present petition.

5. The petition is dismissed accordingly.

SURESH KAIT, J.

MARCH 09, 2016/sb