

\$~23

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

+ **BAIL APPLN.464/2016**

SUNIL KUMAR SINGH Petitioner
Through Mr.Satish Tamta, Sr.Advocate with
Mr.Puneet Rai, Advocate

versus

THE STATE Respondent
Through Mr.Amit Ahlawat, APP for the State
SI Narender, PS GTB Enclave

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

%

21.07.2016

Learned Senior counsel for the petitioner submits that the petitioner is the owner of Shop No.2, Block-I, CSC Market, Janta Flats, First Floor, GTB Enclave, New Delhi.

Petitioner started Marshal Art Training Centre on the first floor of the said office in partnership with Shri Puran Singh Chauhan and invested money towards purchase of the furniture, equipments etc. He also paid Rs.1 lac to said Puran Singh Chauhan. The Marshal Art school was started in the month of February, 2014. In the first week of January, 2016, petitioner paid ₹2,25,000/- to Shri Puran Singh Chauhan for purchase of equipments. However, Puran Singh Chauhan did not return thereafter. Accordingly, petitioner made a complaint on 13.01.2006 against Shri Puran Singh Chuahan. On the same day, some persons came to collect the articles from the training centre for and on behalf of Puran Singh Chauhan. Petitioner permitted them to remove

the articles and video-graphed the factum of removal of articles. After removing the articles, said persons namely, Shri Banu Pratap Singh and Neeraj called the police and on their statement, the present FIR under Section 380 IPC was registered. He further submits that the CD has already been given to IO.

It is further submitted that no allegations of theft of any article has been levelled in the said FIR. The only allegation levelled is that the iron staircase was removed by the owner, i.e. the petitioner.

Learned APP for the State submits that subsequently, the statement of Puran Singh Chauhan was recorded wherein he alleged that petitioner had forcibly dis-possessed him, inasmuch as equipments and cash of ₹1.29 lacs were stolen.

Learned APP for the State submits that CD has already been sent to FSL for verification.

Keeping in mind the totality of circumstances, it is ordered that petitioner, in the case of his arrest, be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the IO/Arresting Officer/SHO concerned.

Petitioner shall, however, cooperate in investigation and appear before the Investigating Officer, as and when called upon to do so.

The application is disposed of.

Dasti.

A.K. PATHAK, J

JULY 21, 2016/P