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

+ **BAIL APPLN. 496/2016**

SURESH SACHDEV

..... Petitioner

Represented by: Mr. Ramesh Gupta, Sr. Adv.
with Mr. Puneet Mittal, Mr.
Amitej Kr. Nagar, Mr. Shakeel
Ahmed, Mr. Bharat Sharma,
Advts.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Manjeet PS Subhash Place.
Mr. Vikas Nagwan, Ms. Manvi
Rajvanshy, Advts. for
complainant.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
25.11.2016

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1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 835/2015 under Sections 420/406/120B/34 IPC registered at PS Subhash Place, New Delhi.

2. The allegations in the above-noted FIR on the complaint of Rajeev Sood, Director M/s. Roots Global Education are that NIILM University represented itself to be recognized by the University Grants Commission under Haryana Act No.16 of 2011. The University was located at 9 KM

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Milestone, NH-65 Ambala Road, Kaithal, Haryana and Ms. Alka Kaul was the Director of NIILM University whereas Ms. Sadhana Rai and Dr. Suresh Sachdev are the Chancellor and Vice-Chancellor of the University respectively. According to the complainant the Director and other office bearers approached the complainant who desired to run a distance learning programme and for the purpose of managing and running the said programme they assured that the University had all the necessary statutory approvals. Believing in the representation of the Director and the officers of the University a Memorandum of Understanding dated 15th May, 2012 was entered into which was duly signed by Ms. Alka kaul as the Director of NIILM University and the complainant as the Director of Roots Global Education. At the time of entering into a MOU payment of ₹20 lakhs was made towards National Coordinator Authorized Fee in favour of NIILM University on the instructions of its Director and other office bearers. After investing ₹20 lakhs the complainant came to know that the University had no approval for running a distance learning programme. When the complainant sought for the refund of the amount the same was not returned.

3. As noted above, the petitioner was the Vice-Chancellor of the NIILM University. On a query put to the learned APP as to whether the petitioner who was a Vice-Chancellor was a salaried employee of the University or owned the Univeristy, learned APP fairly submits that the petitioner was a salaried employee. Further the University has already deposited ₹10 lakhs with the Registrar General of this Court. The petitioner has joined the investigation thrice as and when notice was issued to him.

4. Considering the facts and circumstances of the case I deem it fit to grant anticipatory bail to the petitioner. It is therefore directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹50,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that he will join the investigation as and when directed and will not leave the country without the prior permission of the Court concerned.

5. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 25, 2016
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