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

+ **BAIL APPLN. 604/2016**

K. X JAMES & ORS

..... Petitioner

Represented by: Mr. Jaimon Andrews, Mr.
Rakesh, Advs.

versus

THE STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: Ms. Neelam Sharma, APP with
SI Sandeep Sharma PS Vasant
Kunj North.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

14.07.2016

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By this application the petitioners seek anticipatory bail in case FIR No. 39/2015 under Sections 380/406/506/120B/34 IPC registered at PS Vasant Kunj North PS on the complaint of Ms. Mary Biju, daughter of petitioner No.1 and 2 and sister of petitioner No.3.

The allegations in the FIR are that the complainant being the earning member in the family was looking after the family and she had deposited a sum of ₹ 28 lakhs in a joint account with her mother out of which ₹ 25 lakhs was a loan taken from the PF account. The grievance of the complainant is not with regard to the money earlier spent by her on the family but the fact that this amount which was deposited in the joint account by the complainant was withdrawn by the mother and transferred to a separate account opened by her, where after it was utilized for their personal purposes.

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A perusal of the status report reveals that the joint account was converted to a single account which the complainant claims that fraudulently signatures were taken where after the mother transferred the money to a separate account. The car and the part of the jewellery have already been handed over to the complainant. The issue now remains about the amount which was transferred to the account of the mother.

Be that as it may, the complainant is the daughter of the petitioners No.1 and 2 and sister of petitioner No.3 and it appears that after her wedding the relations between the family members have gone soar resulting in the demand of the money back and allegations of breach of trust. Since criminal proceedings are not meant for recovery and there is no allegation that the petitioners are likely to abscond or tamper with evidence, I deem it fit to grant anticipatory bail to them. It is therefore directed that in the event of their arrest the petitioners be released on their furnishing a personal bond in the sum of ₹20,000/- each with one surety each of the like amount to the satisfaction of the Arresting Officer/ SHO concerned. The petitioners will join the investigation as and when directed.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 14, 2016
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