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

+ **BAIL APPLN. 1324/2014 & CrI.M.A. No.1830/2015**

HARISH GUPTA

..... Petitioner

Through

Mr.Arun Bhdrawaj, Sr. Adv. with
Mr.B.Badrinath, Adv.

versus

STATE

..... Respondent

Through

Ms.Manjeet Arya, APP for the State
with Inspt.Heera Lal & Inspt.Sanjay,
PS Saket.
Mr.Navin Sharma, Adv. for the
Complainant.

CORAM:

HON'BLE MR. JUSTICE P.S. TEJI

ORDER

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11.01.2016

Learned APP for the State has submitted that the challan has already been filed in the matter and that the petitioner is no more required for the purpose of arrest by the investigating agency.

Learned counsel for the complainant has submitted that the accused should not be granted anticipatory bail.

I have heard learned counsel for the parties. The submission made by learned senior counsel for the petitioner is that the prayer made in the petition is for grant of pre-arrest bail to the petitioner in

FIR bearing no.331/2014 under Sections 406/420/498-A/506/120B of the Indian Penal Code. The contention made by learned APP for the State is that the accused is not required for the purpose of arrest as challan has already been filed in the present case.

Presently, the grant of concession under Section 438 of Cr.P.C. is not required. Needless to say, the accused is always at liberty to seek bail under Section 437 of Cr.P.C. for the appearance before the Trial Court if the cognizance is taken by the Court on the charge-sheet filed. As a result, the order of pre-arrest bail is not warranted.

The bail application is disposed of accordingly.

P.S.TEJI, J

JANUARY 11, 2015

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