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

\+ BAIL APPLN. 892/2016

ABHISHEK KUMAR ..... Petitioner

Represented by: Mr. M.M. Singh and Ms. Srijana, Advocates.

versus

STATE ..... Respondent

Represented by: Mr. Hirein Sharma, APP for the State with ASI Jai Prakash, PS Crime Branch.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

<u>O R D E R</u>

% **27.07.2016**

1. By the present petition the petitioner seeks bail in case FIR No.174/205 under Sections 420/468/471/120B IPC registered at PS Crime Branch.

2. Learned counsel for the petitioner contends that the petitioner is not the owner of the company but was employed on salary as Tele Sales Officer. No money whatsoever collected from the victims had gone to the account of the petitioner. The main accused Pawan Kumar Sharma is already in custody and his wife Suman Sharma is absconding. Petitioner has no connection with them except that he was in their service.

3. Learned APP for the State has taken me through the FIR and the status report.

4. A complaint was lodged by one Smt. Kashmiri Devi wherein it was stated that she had been cheated to the tune of ₹12,35,325/- after she had received calls in the month of December, 2014 informing that a bonus amount of ₹40,000/-to ₹45,000/- has been generated on the LIC policy held by her family as the money was invested in the share market and for release of the bonus, government tax was required to be paid. On investigation it was found out that besides Kashmiri Devi, ten more victims were cheated in similar fashion. No office existed in the name of M/s Davis Club Value Card Pvt. Ltd. at C-129, Sector-2, Noida, U.P. The main accused in the case is Pawan Kumar Sharma, Director of the company who obtained number of mobile phones on fake IDs. Four companies i.e. M/s Vidhya Solutions, AVP Consultancy, Vijay Solutions and M/s Vijay Solution Pvt. Ltd., were run by Pawan Kumar Sharma, his wife Ms. Suman Sharma, and two other accused persons Arun Sood and Rajdeep Mann. Arun Sood and Rajdeep Mann have already been declared proclaimed offenders.

5. No doubt that the petitioner has a role in alluring the people however, during investigation it has been found out that the cheated money received from the victims has not been transferred to the account of the petitioner. The entire amount has been transferred to the accounts of Pawan Sharma and his wife Suman Sharma.

6. Considering the fact that the petitioner was an employee of Pawan Kumar Sharma, no cheated amount was transferred to his account and the charge sheet against the petitioner has already been filed, I deem it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹50,000/-

with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, further subject to the condition that he will not leave the country without prior permission of the learned Trial Court.

7. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

JULY 27, 2016
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