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

\+ BAIL APPLN. 1117/2016

PRAKHAR SHARMA ..... Petitioner

Represented by: Mr. Shubham Bhalla with Mr. Yajur Bhalla, Advs.

versus

STATE (GOVT OF NCT OF DELHI) ..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP with Insp. Arun Kumar, AATS/NW

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

O R D E R

% **10.11.2016**

1. By this petition, the petitioner seeks bail in case FIR No.96/2015 under Sections 420/408/468/471/120B IPC registered at PS Mukherjee Nagar.

2. Learned counsel for the petitioner claims parity with Kamlesh his mother who has been granted bail. He further states that the petitioner has been in custody for nearly one year and trial is likely to take some time and hence bail be granted.

3. The above noted FIR was registered on the complaint of Shyam Kumar on behalf of Bhagwan Shree Lakshmi Narayan Dham and Narayan Shakti Peeth. In the complaint it was alleged that Sohan Lal, the father of the petitioner while working in the accounts section of the said trusts was responsible for depositing the cheques in the accounts of two trusts however

Sohan Lal in conspiracy with his wife Kamlesh and son, the petitioner herein opened fake accounts in the name of Bhagwan Shree Lakshmi Narayan Dham and Narayan Shakti Peeth at Bank of Baroda and deposited cheques therein. Amount of ₹35.89 lakhs had been misappropriated which was later on transferred to an account owned by Sohan Lal in Yes Bank. The petitioner who was actively helping his father procured registration certificate from the Department of Labour, GNCTD on line by furnishing false information and got the trust registered as a shop. The total amount siphoned off was found to be 4.07 crores.

4. During investigation it was also revealed that after Kamlesh was granted regular bail by this Court she filed a false criminal case being FIR No.356/2016 under Sections 365/323/506/34 IPC at PS Yamuna Nagar, Haryana against the complainant and his other family members wherein cancellation report has been filed. The above noted FIR was registered on 19th January, 2015 and during investigation name of the petitioner surfaced on 27th February, 2015 when a raid was conducted at the house of the petitioner however he was not found present. On 12th April, 2015 father of the petitioner was arrested however the house was still found locked. To avoid investigation and apprehension, the petitioner applied for urgent tourist visa for UAE on 27th March, 2015 which he got on 30th March, 2015 and he left Delhi. Though visa of the petitioner was valid till 28th May, 2015 he however over stayed and finally pursuant to red corner notice being published on 9th July, 2015 with the help of Interpol CBI the petitioner was deported to India on 16th August, 2015 and was arrested.

5. Considering the allegations against the petitioner and his conduct for running away from the Country, this Court finds no reason to grant bail to

the petitioner.

6. Petition is dismissed.

MUKTA GUPTA, J.

NOVEMBER 10, 2016
‘v mittal’