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

+ BAIL APPLN. 1148/2016

MUKESH SOOD

..... Petitioner

Through: Mr.M.S. Ahluwalia, Advocate.

versus

STATE OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for the
State

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

30.05.2016

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1. By way of this application filed under Section 438 Cr.P.C., the petitioner is seeking grant of anticipatory bail in FIR No. 01/2014, registered under Section 420/464/467/468/471/120B IPC, registered at PS EOW.

2. Vide order dated 24th May, 2016, the anticipatory bail application of the petitioner had already been dismissed, for the reasons recorded therein.

The order dated 24th May, 2016, reads as under:

“1. The petitioner is seeking anticipatory bail in case FIR No.01/2014, under Section 420/467/468/464/471/120B IPC, registered at PS Economic Offences Wing (EOW), Mandir Marg. On 2nd May, 2016, the petitioner was directed to join investigation providing protection to him against arrest.

2. On 20th May, 2015, learned APP for the State informed that though the petitioner has joined investigation but he is not cooperating. Hence the petitioner was directed to appear in person on 23rd May, 2016.

3. *The petitioner failed to appear on 23rd May, 2016 and his counsel placed on record a medical certificate from a private hospital advising rest for ten days w.e.f. 18th May, 2016.*

4. *The State was directed to verify the medical report. The verification report has been submitted by the State mentioning therein that the investigation reports were normal except some pus-cells and these medical certificates are nothing but excuse to avoid appearance. The ultrasound report is also not showing any serious problem which may require rest for ten days. During verification, the concerned doctor informed that on 22nd May, 2015, the petitioner – Mukesh Sood called him complaining about fever and he was advised to take medicine, however, no detail of the medicine prescribed has been given by the doctor.*

5. *Taking into consideration that the petitioner is neither cooperating with the investigating agency nor appearing before the Court and placed on record medical certificates obtained to seek exemption before the Court though they do not indicate any serious medical problem which required the petitioner to take rest, I do not find it to be a fit case to extend the protection.*

6. *In view of the conduct of the petitioner, the application seeking anticipatory bail is dismissed.”*

3. The conduct of the petitioner after he was granted protection against coercive steps has been noted in the order dated 24th May, 2016 in Bail Application No. 767/2016.

4. In the given facts and circumstances, I do not find it to be a fit case to grant discretionary relief of anticipatory bail to the petitioner.

5. The second application seeking anticipatory bail is hereby dismissed.

PRATIBHA RANI, J.

MAY 30, 2016
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