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

+ **BAIL APPLN. 2086/2013**

MIR MOHAMMAD IMRANULLAH Petitioner

Represented by: **Mr. Sandeep Chaudhary,**
Advocate.

versus

STATE Respondent

Represented by: **Mr. Ravi Nayak, APP for the**
State with SI Rajnish Kumar,
PS EOW.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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09.11.2016

1. By the present petition the petitioner seeks anticipatory bail in case FIR No.13/2013 under Sections 120B/406/420 IPC registered at PS Economic Offence Wing on the complaint of Hans Henrik Stenild, CEO and partner of M/s Epoka Group. In the FIR it was stated by the complainant that the company was incorporated under the laws of Denmark and was a global supplier of IT equipments to customers all over the world.

2. It is alleged that the petitioner introduced Rohit Mahajan, proprietor of M/s R.K. Engineers, 126, MP Mall, Pitampura, Delhi to the complainant company for supply of IT equipments on the complainant paying money in advance. Based on his representation the complainant acted and purchase orders were placed from 2010 to 2011. The complainant made payment for a sum of USD 24,91,427.12 to Rohit Mahajan as advance however, goods

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worth USD 1,50,47,767.95 were only supplied. When the complainant complained to the petitioner he further introduced him to one Mushtaq Ahmed resident of Bangalore stating that he could get the complainant's money back from Rohit Mahajan and the consideration charged by Mushtaq Ahmed was USD 45,000/-. Despite Mushtaq Ahmed receiving USD 22,500 as advance he could not recover the amount of the complainant from Rohit Mahajan.

3. Learned counsel for the petitioner has pointed out towards the settlement dated 30th September, 2013 arrived at between the complainant and Mushtaq Ahmed who has returned the amount of ₹8.25 lakhs for not being able to provide services to the complainant. Thus the only allegations now left against the petitioner is of introducing the complainant to Rohit Mahajan, on the basis of which advance money was paid and incomplete goods were supplied. There is no allegation whatsoever that the petitioner took any consideration from the amount paid. Though the petitioner is an Indian national, he is working and residing in Dubai. The petitioner has joined the investigation. Rohit Mahajan is not traceable and coercive steps are being taken to arrest him.

4. It is therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹1 lakhs with two sureties of the like amount, out of which one surety would be a family member of the petitioner, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that he will intimate the address where he is staying in UAE and his plans when he will come back to India and as and when the petitioner comes back to India, he will

report to the Investigating Officer and will appear before the learned Trial Court after charge sheet is filed unless exempted.

5. Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 09, 2016

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