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

+ BAIL APPLN. 1980/2016

MAQBOOL HASAN Petitioner

Through: Mr. Roop Narain, Advocate

versus

STATE Respondent

Through: Ms. Anita Abraham, APP along with
SI Sanjeev for the State.

+ BAIL APPLN. 1971/2016

RABIA KAUSAR Petitioner

Through: Mr. Roop Narain, Advocate

versus

STATE Respondent

Through: Ms. Anita Abraham, APP along with
SI Sanjeev for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

26.09.2016

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Issue notice. Notice is accepted on behalf of the State. Counsel for the complainant is present and accepts notice.

I have heard counsel for the parties. The petitioners have preferred the present bail application to seek anticipatory bail apprehending arrest in case FIR No.423/2016 under Section 406/34 IPC.

Learned counsel for the petitioner submits that the petitioner is ready

and willing to join the investigation and to show bonafide, the petitioner is ready and willing to deposit in this court the disputed principal amount.

The admitted position is that the complainant had given Rs.58.55 lacs to the petitioners for the purpose of carrying on business. An amount of Rs.32.55 lacs has been returned out of the principal amount, thereby leaving a balance of Rs.26 lacs. According to the complainant, the profits have also not been shared and no account has been furnished.

Learned counsel for the petitioner, on instructions, has submitted that the petitioner shall deposit in this court the amount of Rs.26 lacs in two instalments of Rs.13 lacs each. The first instalment shall be deposited within four weeks, and the second instalment shall be deposited within ten weeks from today. The deposit shall be made in the name of the Registrar General of this court and the same shall be placed in a FDR.

Subject to compliance of the aforesaid, the application is allowed. In case of arrest, the petitioners shall be released on bail upon furnishing personal bond with one surety in the sum of Rs.30,000/- each to the satisfaction of the arresting officer. The petitioners shall join the investigation as and when called for and shall not travel abroad without permission of the Trial Court, and the petitioners shall surrender the passport before the Trial Court within four weeks.

Petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

SEPTEMBER 26, 2016

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