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

\+ BAIL APPLN. 2017/2016

AMIT KUMAR SINGH @ ASHUTOSH KUMAR..... Petitioner

Through : Mr.Nagendra Rai, Sr.Advocate with Dr.Kumar Amitesh & Mr.D.K.Deresh, Advocates.

versus

GOVT OF NCT OF DELHI ..... Respondent

Through : Mr.Akshai Malik, APP.

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

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

% 11.11.2016

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.143/2011 registered under Sections 420/468/471/120B IPC at PS EOW. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. Learned Senior Counsel for the petitioner urged that the petitioner was not named in the FIR. He is one of the victims like the complainant in the instant case. Number of documents were given by him to the co-accused Santosh Giri to obtain employment in railways. Those documents seem to have been used by Santosh Giri to open certain account in his name. Account No.083101500197 does not belong to him. The petitioner has since joined the investigation.

Learned APP urged that considering the gravity of offence and petitioner's involvement in the crime, he is not entitled for anticipatory bail.

3. Status report reveals that 21 victims were allegedly cheated by Santosh Giri and his associates including the petitioner of their hard earned money to the tune of ₹1 crore on the pretext to provide them jobs in railways. Status report reveals that petitioner's involvement in the conspiracy emerged when Santosh Giri made disclosure statement upon arrest. Santosh Giri led the police team to the residence of the petitioner where he could not be arrested. Despite several times, the petitioner avoided to join the investigation. Proceedings under Section 82 Cr.P.C. have been initiated against him. It further reveals that account No.083101500197 was found in the name of the petitioner where a sum of ₹49,500/- was deposited on 15.05.2009 by one of the victims; the pay slip of which has been seized on 26.08.2011. It is further informed that various documents i.e. voter ID Card, PAN card pertaining to account No.625901527250 made available by the petitioner's relative have been verified. Date of birth on PAN card provided is 04.03.1986 whereas on the voter ID card it is somewhere in 1984. Investigation revealed that there were vital differences on account of date of birth, PAN number, address and other parameters. There were two more accounts in the name of the petitioner - Amit Kumar Singh @ Ashutosh Kumar. The custodial interrogation of the petitioner is required to unearth the conspiracy.

4. Considering the serious allegations against the petitioner and his prima facie involvement in the crime, he is not entitled for anticipatory bail. The bail application is dismissed.

S.P.GARG, J.

NOVEMBER 11, 2016 / tr