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

+ BAIL APPLN. 2152/2016

SANJAY KHANDEWAL

..... Petitioner

Through Mr. Ajayinder Sangwan, Advocate

versus

STATE NCT OF DELHI

..... Respondent

Through Mr. , ASC for the State with
IO SI Rajneesh Kumar, EOW.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **04.11.2016**

It is submitted that, as per the prosecution accused Raju, Satish Malhotra, Sunita Malhotra, Ashok Malhotra and Rajesh Malhotra, including the petitioner Sanjay Khandelwal had hatched a conspiracy to avail loan from SBI, Punjabi Bagh Branch, Delhi, on the basis of forged Conveyance Deed in respect of house No. G-2/67, Second Floor, Sector 16, Rohini, Delhi, thereby causing financial loss to the said complainant bank. After investigation, charge sheet was filed against other accused persons on 24.05.2014 wherein name of the petitioner was not mentioned.

Petitioner made a complaint against the IO dated 14.02.2016 to Lt. Governor, Chief Minister, Joint Commissioner (EOW), DCP (EOW). Now a supplementary charge sheet has been filed on 20.05.2016 against the petitioner as well stating therein that he has

forged signatures of a DDA official.

Learned counsel for the petitioner has placed reliance on ***Sapan Halдар & Anr. Vs. State (2012) 191 DLT 225 (FB)*** to contend that during investigation, with respect to handwriting, the IO on his own, cannot obtain sample writing or signatures of the person who is accused of having committed such an offence.

Learned APP for the State has contended that as per the FSL Report, petitioner had impersonated as a DDA official. When the charge sheet was filed against the other accused persons, role of petitioner was pending investigation, awaiting the FSL report. After the FSL report was received, charge sheet has been filed against the petitioner as well. It is further submitted that the petitioner was absconding and he is not entitled to anticipatory bail.

Learned counsel for the petitioner has pointed out that all other accused persons are already on bail.

Keeping in mind the totality of facts and circumstances, it is ordered that in case of arrest, petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO concerned.

Application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J

NOVEMBER 04, 2016/sm