

\$~20

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

+ **BAIL APPLN. 2215/2016**

ANIL KUMAR GUPTA

..... Petitioner

Represented by: Mr. A.P. Mohanty, Mr. V.G.R.
Achary, Advs.

versus

GOVT OF NCT DELHI & ORS

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
D.P. Singh PS S.P. Badli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.12.2016

%

By this petition the petitioner seeks regular bail in case FIR No.1325/2015 under Sections 419/420/467/468/471/120B/34 IPC registered at PS Samaipur Badli on complaint of Kavita Yadav.

In the complaint Kavita Yadav alleged that he has agreed to purchase a plot bearing No.1677, admeasuring 61.29 sq. Yds., Block C, Sushant Lok Phase-I, Gurgaon for total consideration of ₹73 lakhs from one Ram Swaroop. Out of the said ₹73 lakhs, ₹10 lakhs were paid as token money and ₹30 lakhs were paid through demand draft in the name of Ram Swaroop and balance ₹33 lakhs were paid at the time of registry. On 23rd April, 2015 the sale deed was executed by Ram Swaroop in favour of the complainant and the balance amount was also handed-over and physical possession of the

BAIL APPLN. 2215/2016

page 1 of 2

property was taken over. Later the complainant received a notice from one Shiv Avatar who alleged that Ram Swaroop and the complainant had taken illegal possession of the plot.

During the course of investigation it was revealed that on the strength of a rent agreement prepared between Anil Kumar Gupta and Ram Swaroop wherein Anil Kumar Gupta showed himself to be the owner of the property, Ram Swaroop presented himself to be the owner of the property in question and entered into the transaction. Till date the other co-accused Ram Swaroop, Praveen Jain and Shiv Avatar have not been arrested. The petitioner is in custody for nearly more than 11 months and charge-sheet qua him has already been filed. Considering the fact that no further custodial interrogation of the petitioner is required, this Court deems it fit to grant bail to the petitioner.

It is therefore directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the learned Trial Court further subject to the condition that the petitioner will not leave the country without the prior permission of the Court concerned.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 15, 2016
‘ga’

BAIL APPLN. 2215/2016

page 2 of 2