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

DECIDED ON : 15th FEBRUARY, 2016

+ **BAIL APPLN. 1869/2015**

VICKY SINGH

..... Petitioner

Through : Mr.S.K.Gandhi, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI) & ORS. Respondents

Through : Mr.Amit Gupta, APP with SI
Himanshu Balyan.
Mr.C.M.Sharma, Advocate with
Mr.Sanjay, Advocate for R2.

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

S.P.Garg, J. (Oral)

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.314/2013 registered under Sections 420/467/468/471/120B/34 IPC at PS Adarsh Nagar. Status report is on record.

2. I have heard the learned counsel for the parties including the counsel for the complainant and have examined the file. The petitioner is

facing trial in case FIR No. 314/2013 and FIR No.111/2013. On 04.12.2012, both the parties amicably settled the dispute in Mediation Centre, Rohini Courts, Delhi. The petitioner undertook to pay ₹70 lacs to the complainant of FIR No. 111/2013 and ₹75 lacs to the complainant of FIR No. 314/2013. He was admitted to bail vide order dated 09.12.2014. However, the petitioner did not comply with the terms and conditions of the settlement and vide an order dated 03.06.2015, the bail granted to the accused / petitioner vide order dated 09.12.2014 was cancelled. He was directed to surrender before the regular Court. Today, counsel for the petitioner was specifically asked if the petitioner has surrendered in compliance of the said order to which he replied in the negative.

3. The petitioner filed CrI.M.C.2528/2015, CrI.M.A.Nos.8934/2015 and 8935/2015 before this Court. After some hearing, it was withdrawn with liberty to have recourse in accordance with law on 17.06.2015. It is relevant to note that the petitioner had also filed CrI.Rev.P.360/2015 and CrI.M.A.Nos.9029-30/2015 which was withdrawn on 01.07.2015 by him with liberty to approach the Trial Court.

4. Since the petitioner has not complied with the terms and conditions arrived at with the complainant and has not paid any amount till date apparently he deserves no relief. It is informed that proceedings

under Sections 82 & 83 Cr.P.C. have been initiated against him. Learned Addl. Public Prosecutor further informs that the property in question was mortgaged with three different banks detailed in the status report to avail various loans.

5. Considering the gravity of the offence and serious allegations against the petitioner, it is not a case for grant of anticipatory bail and it is dismissed.

(S.P.GARG)
JUDGE

FEBRUARY 15, 2016 / *tr*