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

+ **BAIL APPLN. 33/2017**

ATUL ANAND

..... Petitioner

Through : Mr.Sidharth Joshi, Advocate with
Mr.Sagar Chauhan & Mr.Amit
Kumar, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through : Mr.Amit Gupta, APP with SI Rakesh
Rana, PS K.N.K.Marg.
Mr.Vijay Wadhwa, Advocate with
Mr.Durga Parshad, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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08.02.2017

1. The petitioner seeks anticipatory bail under Section 438 Cr.P.C. in case FIR No.953/2016 registered under Sections 420/406/120B IPC at PS K.N.Katju Marg. 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.
3. During the course of arguments, learned counsel for the petitioner, on instructions, volunteered to pay ₹15 lacs to the complainant without prejudice and subject to future adjustment (if any). On this, the complainant has no objection to the grant of anticipatory bail.

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4. Considering the facts and circumstances of the case and the petitioner's offer to pay ₹15 lacs to the complainant without prejudice and subject to future adjustment, he is granted anticipatory bail and in the event of arrest, he be released on furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating officer. He shall, however, join the investigation as and when required. He shall pay ₹15 lacs to complainant within a month through Investigating Officer by way of Demand Draft. This payment shall be without prejudice and subject to future adjustment (if any). It shall also be subject to outcome of the case and in case the petitioner succeeds, the amount so received by the complainant shall be returnable with interest as per State Bank of India interest rates applicable to fixed deposits.
5. In case of non-compliance, the complainant / State will be at liberty to approach this Court.
6. The bail application stands disposed of.

S.P.GARG, J.

FEBRUARY 08, 2017 / tr