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

\+ BAIL APPLN. 152/2017

MONU & ORS ..... Petitioners

Through: Mr. V.K. Sharma, Advocate.

versus

STATE ..... Respondent

Through: Mr. Mukesh Kumar, APP along with Inspector Vinod Kumar, PS-Darya Ganj, for the State.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

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

% **21.03.2017**

Status report has been filed, which shows that the petitioner has not fully cooperated in the investigation.

The I.O. is present in Court. He states that the petitioner appeared with his counsel and the learned counsel for the petitioner projected to the I.O. on a reading of the order dated 25.01.2017, that the petitioner could be called for interrogation only once on 01.02.2017. This interpretation was premised on the basis of the following sentence:

"*No further notice shall be required to be given to the petitioner.*"

To understand the purport of this sentence, the entire paragraph may be reproduced, which reads as follows:

> "*Keeping in view the aforesaid, it is directed that till the next date, the petitioner shall not be arrested subject to the petitioner joining the investigation and cooperating with the I.O. Let the petitioner appear before the I.O. on 01.02.2017 at 04:00 p.m. No further notice shall be required to be given to the petitioner.*"

The said sentence only means that no further notice would be required to be given to the petitioner for his appearance on 01.02.2017 at 04:00 p.m. The order dated 25.01.2017 nowhere prevented the I.O. from calling the petitioner repeatedly for interrogation. It is, thus, clear that the petitioner is trying to avoid his interrogation.

A perusal of the status report also shows that the petitioner could well be a part of a larger conspiracy to deposit unaccounted cash by opening bank accounts in old denomination. Vinay Jain, whose signatures are stated to have been used as the introducer has claimed that in the bank records, he had provided only the signatures in Hindi, whereas, the form introducing the petitioner for his membership purported to contain his signatures in English. He has further claimed that he had not given the specimen signatures in English in the bank records. However, the same appear to be on the bank record as well.

This Court fails to understand as to how the I.O. has not bothered to name the concerned bank officers as accused in the case and to investigate the case against them as well. The signatures of Vinay Jain in English could not have been brought on record, in the records of the bank, without the complicity and connivance of the bank officers. The veracity of the statement of Vinay Jain – that he has not provided his specimen signatures in English, also needs to be tested. I am sorry to say that the I.O. does not appear to be carrying on investigation in this case in an efficient and intelligent manner. In these circumstances, the application is dismissed.

A copy of this order be communicated to the Commissioner of Police to bring to his notice the manner in which the investigation has been conducted in the case. It is hoped that he shall take corrective steps so that the case is properly investigated and taken to its logical conclusion.

VIPIN SANGHI, J

MARCH 21, 2017

B.S. Rohella