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

+ **BAIL APPLN. 629/2017**

SANDEEP GUPTA

..... Petitioner

Represented by: **Mr.Roop Ram Sarwal, Adv.**

versus

STATE NCT OF DELHI

..... Respondent

Represented by: **Mr. Amit Ahlawat, APP with
SI Tejvir Singh, PS Welcome.
Mr. Mukesh Hooda, Adv. for
complainant with complainant.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.04.2017

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1. By the present petition, the petitioner seeks anticipatory bail in FIR No.255/2016 under Section 420 IPC registered at PS Welcome.

2. Before the learned Trial Court, the petitioner had expressed his willingness to settle the matter and the parties were referred to the Mediation Centre, Karakardooma Courts when a settlement was arrived at between them on 30th August, 2016 and the complainant received ₹2 lakhs and further ₹8 lakhs were received in two instalments of ₹4 lakhs each on 15th September, 2016 and 20th October, 2016. The balance amount of ₹20 lakhs which was to be paid in two instalments first on 20th December, 2016 and another on 20th January, 2017. The petitioner failed to pay the aforesaid instalment due on 20th December, 2016 thus vide order dated 13th January,

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2017 the learned Additional Sessions Judge dismissed the anticipatory bail application and vacated the interim protection granted to the petitioner. The petitioner filed fresh anticipatory bail application which was dismissed vide order dated 24th March, 2017. When the matter came up before this Court, the petitioner again stated that he wants to settle the matter.

3. Despite the fact that a sum of ₹20 lakhs was required to be paid by 20th January, 2017, the petitioner admittedly is not in a position to pay the balance amount and is ready to hand over only a cheque for ₹5 lakhs which is not acceptable to the complainant.

4. The time to fulfil the terms of settlement arrived at before the Mediation Centre cannot be extended endlessly as sought by the petitioner. Considering the facts noted above, this Court finds no error in the impugned order dated 24th March, 2017 passed by learned Additional Sessions Judge rejecting the anticipatory bail application.

5. Petition is dismissed.

MUKTA GUPTA, J.

APRIL 24, 2017
v mittal