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

+ **BAIL APPLN. 2071/2016**

SUBHASH JAIN

..... Petitioner

Through: Mr.Mohit Mathur, Sr.Adv. with
Mr.Amit Chaudhary, Adv.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Ashish Dutta, APP.
Insp.Ram Sindhu, DIU/SE.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **01.08.2017**

The petitioner seeks bail in anticipation of arrest in connection with FIR No.240/2016 dated 10.04.2016 (P.S.Amar Colony) instituted for the offences under Sections 420/503/506 and 34 of the IPC.

It has been submitted on behalf of the petitioner that the cheques which were dishonoured were signed by others and not him. It has further been submitted that no complaint with respect to dishonour of cheques given to the complainant has been filed.

Learned counsel appearing for the petitioner has also drawn the attention of this Court to an order passed by the learned ASJ-01, South East District, Saket Courts, New Delhi whereby Rishab Jain, one of the co-accused of this case and who happens to be the son of the petitioner has been granted anticipatory bail.

The matter had earlier been sent to Mediation by a bench of this Court but it appears that the mediation failed.

Mr.Ashish Dutta, learned APP has pointed out that chargesheet in this case has already been submitted on 28.07.2017 sending the petitioner for trial.

In that view of the matter, the custodial interrogation of the petitioner would not be required now.

Taking into account the aforesaid facts, the prayer made in the application is allowed.

In the event of arrest or surrender, the petitioner shall be released on bail on his furnishing a bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the arresting officer/competent Court.

However, it is made clear that the petitioner shall abide by the process of law and would not intimidate or threaten the complainant or tamper with the evidence. Should that be reported against him, it would be open for the State/complainant to approach the Court below for cancellation of his bail.

The application is disposed of.

ASHUTOSH KUMAR, J

AUGUST 01, 2017

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