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

+ CRL.M.C. 2333/2017 & CRL. M.A. 9482/2017 (stay)

BIJENDAR AGGARWAL Petitioner
Through Mr. V.S. Dubey, Adv.

versus

STATE Respondent
Through Mr. Hiren Sharma, Addl. PP for State
with SI Yad Ram yadav.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **30.05.2017**

CRL. M.A. 9483/2017 (exemption)

Exemption allowed, subject to just exceptions.

Application stands disposed off.

CRL.M.C. 2333/2017

Heard. During the course of hearing, ld. Counsel for the applicant does not dispute that in relation to the subject transaction, he executed the Sale Deed against a consideration of ₹ 1.25 crore and that, as per the prosecution, he was one of the persons in the process of cheating of ₹2 crores. In the impugned order, ld. MM while granting bail, imposed the conditions as follows :

1. That both the accused persons shall attend the trial in terms of the bonds executed by them;
2. that both the accused persons are directed to surrender their passport, if any, before the Court within seven days of their furnishing of the bail bonds;
3. that both the accused persons shall not leave the country

- without seeking prior permission from the Court;
4. that that the accused persons shall attend the proceedings either before the IO or before the Court, in accordance with the conditions of the bonds executed by them;
 5. that both the accused persons shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;
 6. that both the accused persons shall not indulge or commit such like offence(s) again – similar to the offence to which they are accused now;
 7. further in my opinion, taking into account the fact that in the case in hand, money which has been sent by the complainant has been completely swindled, I also directed that each of the accused persons-Suresh Shrimali and Bijender Aggarwal shall deposit a FDR/bank guarantee in the sum of ₹20 lakhs in the Court on the next date of hearing, initially valid for a year.”

The above-said conditions are sought to be quashed/modified.

Keeping in view the totality of the facts and circumstances, I do not find the conditions to be onerous.

Dismissed.

CRL. M.A. 9482/2017 (stay)

Dismissed being infructuous.

A. K. CHAWLA, J

MAY 30, 2017

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