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

+ BAIL APPLN. 2599/2016

MOHD.KASIM

..... Petitioner

Through Mr.R.P.S. Bhatti, Adv.

versus

STATE

..... Respondent

Through Mr.Panna Lal Sharma, APP with
Insp. Harish Kumar and SI Amit
Kumar, PS Gokalpuri.
Mr.Pankaj Kumar, Adv. for the
complainant.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **16.01.2017**

Arguments heard.

The present application has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.751/2015, under Sections 406/420/34 IPC, Police Station Gokalpuri.

The FIR of the instant case was registered on the basis of complaint made by Shahnawaz Khan. It was alleged that since the last many years, he and many other locality members of the area were regularly depositing small amounts of cash in a financial institution in the name and style of Madina Muslim Fund. Amount ranging from Rs.50-100 to any extent could be deposited and primarily household

ladies deposited their hard earned money in the said financial institution. It was further alleged that Madina Muslim Fund and its staff vacated their office and eloped with all the cash of victims.

Counsel for the complainant has submitted that the amount of the involved with respect to the complainant in the present case is Rs.10,000/-. The case of the prosecution is that the amount involved is Rs.15 to 20 lakhs. It is further submitted that there are 59 investors involved in the present case and the total amount invested by them comes to Rs.5,90,000/-. Further, case of the prosecution is that co-accused Mohd. Ikram purchased a property for a sum of Rs.35 lakhs from the cheated amount who is already in custody.

In the facts and circumstances mentioned above, the bail application is allowed. It is hereby ordered that in the event of arrest of the accused/petitioner, he shall be released on bail on furnishing the personal bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the arresting officer. The accused/petitioner is directed to join the investigation as and when required; not to tamper with the evidence; not to influence the prosecution witnesses; and shall not leave the country without prior permission of the court concerned.

Before parting with the order, this court would like to place it on record by way of abundant caution that whatever has been stated hereinabove in this order has been so said only for the purpose of disposing of the prayer for bail made by the petitioner. Nothing contained in this order shall be construed as expression of a final opinion on any of the issues of fact or law arising for decision in the

case which shall naturally have to be done by the Trial Court seized of the trial.

Bail application is accordingly disposed of.

P.S.TEJI, J

JANUARY 16, 2017
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