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

\+ BAIL APPLN. 1497/2017 and Crl. M.B. No. 1415/2017 (interim bail)

SHAGOON AGGARWAL ..... Petitioner

Represented by: Mr. Kirti Uppal, Sr. Advocate with Mr. Jaspreet Singh Rai, Advocate.

versus

STATE (NCT OF DELHI) ..... Respondent

Represented by: Mr. Hirein Sharma, APP for the State with SI Deepak Kumar, PS Rajouri Garden. Mr. Jugal Wadhwa and Mr. Path Kaushik, Advocates for the complainant.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

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

% **24.11.2017**

1. By the present petition the petitioner seeks anticipatory bail in case FIR No. 930/2016 under Sections 420/120B IPC registered at PS Rajouri Garden, New Delhi.

2. The above noted FIR was lodged on the complaint of Sameer Whig proprietor of Samaara International Tour and Travels wherein he alleged that he was running a firm for the last 15 years and was dealing with tour packages in India and internationally. In June, 2015 the petitioner along with her husband and father approached the complainant and wanted to deal with him for purchasing travel packages, hotel bookings, tickets, visa and

forex services etc. Believing the representation of the petitioner, complainant agreed to the business and initially the complainant made advance payments and asked for making packages for 11 people to Goa including air tickets and booking in hotel. The entire payment was delivered in cash. Thereafter the parties continued to have transactions. In third week of December, 2015, petitioner asked for further packages on account of payment thereafter the petitioner disappeared. Later complainant came to know that after purchasing packages from the complainant, petitioner played fraud and deception by selling the packages at throw away prices.

3. Thus, the crux of the allegations of the complainant are that if a tour package worth ₹6 lakhs was being sold by the complainant, the petitioner would take the said tour package for different people but sell the same for a sum of ₹3 or ₹4 lakhs thereby causing loss to the petitioner.

4. Selling packages at a lesser price by a subsequent purchaser or trader would be a loss to that person in case the accounts are reconciled. Merely selling the package at a lower rate to a customer cannot be prima facie said to be cheating to the complainant.

5. Learned APP for the State on instructions submits that the petitioner has joined the investigating.

6. Considering the allegations in the FIR, this Court is of the considered opinion that it is a fit case for grant of anticipatory bail to the petitioner. It is, therefore, directed that in the event of arrest the petitioner be released on bail on her furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, subject to satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that she will join the

investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the Court.

7. It is clarified that any observations made hereinabove are for the purpose of adjudicating this petition and not a final expression on merits of the case.

8. Petition and application are disposed of.

9. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 24, 2017
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