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

+ **BAIL APPLN. 2127/2017**

SMT ROOPA GARG

..... Petitioner

Through: **Mr.A.K.Jha & Mr.R.R.Raju,**
Advocates with petitioner in person

versus

STATE (NCT OF DELHI)

..... Respondent

Through: **Mr.Kewal Singh Ahuja, APP for the**
State with SI Pankaj Kumar PS
Shalimar Bagh.
Counsel for the complainant.
(Appearance not given)

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **01.11.2017**

1. By way of this application filed under Section 438 Cr.P.C. the petitioner is seeking anticipatory bail in case FIR No.762/2016 registered under Section 420 IPC at PS Shalimar Bagh.

2. The petitioner is present today in compliance of the order dated 30th October. 2017. She has today placed on record an affidavit-cum-undertaking explaining the circumstances under which the receipt of ₹6,00,000/- was executed. She has furnished the undertaking that she will not create any third party interest or part with the possession of the property No. 521, C & D Block, Shalimar Bagh, Delhi which was the subject matter of the receipt dated 22nd July, 2016 (Annexure 'C'). Copy of the affidavit/undertaking has been given to the State as well as to learned counsel for the complainant.

3. A copy of the agreement to sell is also placed on record wherein there is no mention of any earnest money being paid or any receipt being issued towards part payment in respect of the sale of property No. 521, C & D Block, Shalimar Bagh, Delhi.

4. Taking into consideration the facts and circumstances of the case, it is directed that in the event of arrest the petitioner shall be released on bail on her furnishing personal bond in the sum of ₹50,000/- with one surety of the like amount to the satisfaction of concerned IO/SHO subject to the following conditions:-

(i) Petitioner will not create any third party interest or part with the possession of the property No. 521, C & D Block, Shalimar Bagh, Delhi till the trial in case FIR No.762/2016 PS Shalimar Bagh is concluded. She will remain bound by the undertaking furnished by her today.

(ii) The Petitioner shall not leave the country without the permission of the Court.

(iii) Petitioner is directed to join the investigation as and when required by the Investigating Officer.

(iv) Petitioner is also directed to provide her contact number to the IO concerned to facilitate communication for the purpose of joining the investigation.

5. The application stands disposed of.

Order *dasti*.

PRATIBHA RANI, J.

NOVEMBER 01, 2017

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