

\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 2226/2017

MANISH KAUSHIK @ MUNNI

..... Petitioner

Through: Mr.Rahul Malik, Advocate

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.Ashish Dutta, APP for State with
SI Anand Kumar, PS Mehrauli.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **11.12.2017**

Crl.M.A. No.18006/2017 (Exemption)

Exemption allowed, subject to just exceptions.

Bail Appl. No. 2226/2017 and Crl. M.(Bail) 1948/2017

Submissions have been made on behalf of either side.

The status report dated 7.12.2017, signed by the SHO PS Mehrauli, on the record indicates that the only allegations against the applicant are to the effect that the co-accused Hari Kishan Singh already arrested on 10.10.2017 as averred in paragraph 6 of the Status report against the present applicant had made a disclosure statement of the fabrication of documents. The alleged forged documents are stated to have already been recovered from the house of Hari Kishan Singh. It has been submitted on behalf of the applicant that the applicant is not the beneficiary of any of the alleged commission of offences by the co-accused person and that the Property No.A-362, Chattarpur Enclave Phase-II, Delhi is still in possession of the complainant and that there is no incriminating evidence against the applicant.

It is submitted on behalf of the State, in reply to a specific court query that apart from the disclosure statement made by Hari Kishan Singh, presently, there is nothing that has been brought-forth on the record against the applicant that the applicant is not joining the investigation and that proceedings under Section 82 of the Cr..P.C. are in progress.

In view of the averments in paragraph 6 of the status report which alleges that the forgery was committed by Jasbir Singh and Manish @ Munni, i.e., the present applicant, for purported sale of the property No.A-362, Chhatarpur Enclave Phase II, New Delhi, it is essential that the applicant joins the investigation. The applicant is directed to appear before the SHO, Police Station Mehrauli and the Investigating Officer of the case on 12.12.2017 at 2:30 p.m. and is also directed to join the investigation as and when required.

Subject to the applicant joining the investigation, not leaving the country, not tampering with the evidence and not intimidating the witnesses, the applicant in the even of arrest is allowed to be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the learned trial Court.

The Bail Appln No.2226/2017 and Crl. M.(Bail 1948/2017 are disposed of.

A copy of the order be given *dasti* , as prayed.

ANU MALHOTRA, J

DECEMBER 11, 2017/sv