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

+ **BAIL APPLN. 515/2018**

RAM NATH

..... Petitioner

Through: Mr. Amulya Dhingra and Mr. Varun
Chauhan, Advs.

versus

THE STATE

..... Respondent

Through: Ms. Aashaa Tiwari, APP for State
with SI Praveen Kumar, P.S.
Mandawali.
Mr. Alok Singh and Mr. Ashish Goel,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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05.10.2018

Learned counsel for the petitioner submits that complainant has alleged in the FIR that petitioner had agreed to sell a property bearing no. E-39, Ganesh Nagar, Pandav Nagar Complex, Delhi-92 to him for a total sale consideration of ₹22 lacs. Complainant alleged that ₹18 lacs was paid by him to the petitioner as earnest money. However, petitioner had already sold the said property to a third party for ₹25 lacs on 23.09.2013. After a lot of persuasion by the complainant, petitioner agreed to return ₹18 lacs and accordingly issued four cheques. On presentation of these cheques the same were returned dishonoured. Learned counsel for the petitioner further submits that complainant had filed a complaint under Section 138 of the

Negotiable Instruments Act, 1881 wherein petitioner has been convicted. Revision is pending in this Court. During the pendency of Revision Petition, petitioner has paid ₹6 lacs to complainant. It is further submitted that ₹1 lac has been paid to complainant, pursuant to the order dated 12.03.2018 passed in this bail application.

Learned APP, on instructions of the Investigating officer, admits that petitioner has participated in the investigations.

Keeping in mind totality of the facts and circumstances of this case, it is ordered that in case of arrest petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned police station.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

OCTOBER 05, 2018

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