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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2032/2018 & CrI.M.A. 31917/2018**

RAVI ADHIKARI

..... Petitioner

Through: Mr. Ajay Prakash Singh, Mr. V.P.
Singh, Ms. Geeta Chauhan, Ms. Richa
Singh & Ms. Pratima Rani, Advocates

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr. Amit Gupta, APP with ASI
Latoor Singh, PS Chandni Mahal

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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01.10.2018

The petitioner seeks bail. He is accused of offence under Sections 419/420/468/471/120B IPC. He has been in custody since 30.07.2018. He is accused, inter alia, of running a call centre, which made telephone calls to unsuspecting persons, soliciting deposits from them for availing benefits under earlier insurance policies. These calls were made from sim cards issued under fake IDs. According to learned counsel for the State, the matter is being investigated into. It is also the subject matter of a PIL, on a reference made by a Single Bench of this Court.

The learned counsel for the petitioner states that the chargesheet has been filed and almost the entire prosecution evidence is in the nature of electronic evidence, which is already on record and the petitioner cannot tamper with it. Additionally, the complainant, at whose behest the

complaint is lodged, is a police officer, who too cannot be influenced by the petitioner. The petitioner's age is about 31 years old and he has a spouse and an infant to take care of. In view of the above, bail is sought.

The Court is of the view that insofar as the petitioner cannot be a threat to the electronic evidence on record nor would he be a threat to the police officer to made the complaint, he is liable to be granted bail. It is so granted to him on his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the Trial Court concerned, subject to the following conditions:-

- (i) the petitioner will regularly appear on each and every date of hearing to be fixed by the Trial Court concerned;
- (ii) the petitioner will not try to influence, contact or meet the complainant and prosecution witnesses in any manner;
- (iii) the petitioner will not leave the country without prior permission of the Court and the passport, if any, shall be deposited with the Trial Court concerned; and
- (iv) in case of change of his new address or contact number, the petitioner will promptly intimate to the SHO/IO of the case and intimate the Trial Court.

The petitioner, or anyone through him, will not in any way get in touch with Mahabir Prasad and Rakesh Kumar, who have given statement to the police in support of prosecution case.

The petition stands disposed-off in the above terms.

Nothing stated in this order shall be deemed to be an adjudication on the merits of the case.

The Registry is directed to send a copy of this order to the Jail Superintendent, concerned for compliance. Additionally, a copy of the same shall also be delivered upon the Jail Superintendent through the police.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

OCTOBER 01, 2018
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