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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 4498/2016 & CRL.M.A. 18831/2016**

SHASHI BALA KAPOOR

..... Petitioner

Through: Mr. Atul Bandhu & Mr. Saurabh
Agarwal, Advocates.

versus

STATE & ANR

..... Respondents

Through: Mr. Panna Lal Sharma, APP for State
with SI P.S. Rawat, PS Gandhi Nagar.
Mr. Dalvinder Singh, Advocate for R-
2.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA
ORDER
10.01.2018

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Vide the present petition, the petitioners seek re-calling of the order dated 08.09.2016 of the MM-1 (E)KKD Courts, Delhi whereby bail was granted to the respondent no. 2 in FIR no. 243/2015, PS Gandhi Nagar under Sections 406/420/467/468/471 of IPC, 1860 and seek further that the entire allegedly cheated amount be directed to be deposited by the respondent no. 2. During the course of submissions that have been made on behalf of either side, it has been submitted on behalf of the respondent no. 2 that the FSL result in this matter is awaited which is also affirmed by the Investigating Officer, SI P.S. Rawat, PS Gandhi Nagar.

In reply to a specific court query, it is also stated by the Investigating

Officer that there had been no violation of the conditions given vide order dated 08.09.2016 by the Trial Court.

Taking into account the factum that the FSL result is yet awaited in the instant case and there has been no violation of the conditions imposed vide order dated 08.09.2016, coupled with observations in the order dated 08.09.2016 also to the effect that it could not be informed at this stage that the amount was given by the complainant to the accused because of any direct inducement, presently there is no ground to cancel the bail granted vide the impugned order.

The petitioner, is however, granted liberty to seek redressal, if any, after the receipt of the FSL report.

ANU MALHOTRA, J

JANUARY 10, 2018
Neha Chopra