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

+ **BAIL APPLN. 1616/2017**

SANJAY GHAI

..... Petitioner

Represented by: Mr. Kirti Uppal, Senior
Advocate with Mr. Pranvir
Sethi, Advocate.

versus

STATE

..... Respondent

Represented by: Ms. Meenakshi Chauhan, APP
for State with SI Balbir Singh,
DIU/SD.
Mr. K.S. Parihar, Advocate for
complainant.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% 30.07.2018

1. By this petition, the petitioner seeks bail in case FIR No. 339/2016 under Sections 306/403/406/420/120B/34 IPC registered at Police Station Neb Sarai.
2. The investigation in the above noted FIR started on receipt of a PCR call alleging that one person has shot himself at F-2176 D, Sainik Farms, New Delhi and the injured has been shifted to MAX Hospital, Saket. The patient's name was revealed as Alam Singh Bisht brought dead to the hospital.

BAIL APPLN. 1616/2017

Page 1 of 3

3. Deceased had left the suicide note holding Heman Aggarwal, Anil Kumar, Devender Bhati, Sudesh Sharma, Sanjay Ghai- present petitioner, Sanjay Kumar, Kishan Negi and Surender Aswal responsible for his suicide as they have cheated him of a huge amount and properties in the year 2010-11 which he had attained of his hard earned money. The petitioner was taken in custody on 1st June, 2017, whereafter he preferred the present application for bail.

4. Vide order dated 26th September, 2017, this court noted that merely because the deceased suffered losses in the business and other land transaction, in which the petitioner and other accused persons had also played a part, the petitioner cannot be saddled with the charge of abetting such suicide by the deceased. In respect of other offences, this court noted that the petitioner was ready to show his *bona fide* and facilitate the mutation of the plots of land to be transferred in the name of the son of the deceased. Thus, this court, on consideration of the submissions of the learned counsel for the petitioner, released the petitioner on provisional bail for a period of three months vide order dated 26th September, 2017, which interim order is continuing till date.

5. On 3rd January, 2018, this court noted the statement of learned counsel for the complainant that 35/38 bighas of land had already been mutated in his name by the petitioner, however, the petitioner was required to cooperate qua the mutation of remaining 52 bighas of land.

6. Learned Senior counsel for the petitioner submits that despite their best efforts, the complainant did not come forward and they themselves have got mutated the balance 52 bighas of land in the name of the complainant.

7. In view of the findings of this court vide order dated 26th September, 2017 that the petitioner cannot be saddled with the charge of offence under Section 306 IPC and in respect of charge of the offences under Sections 403/406/420/120B/ 34 IPC, the petitioner has shown his *bona fide*, this court deems it a fit case to grant regular bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹50,000/- with one surety bond of the like amount, subject to the satisfaction of the trial court, further subject to the condition that the petitioner will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

8. Petition is disposed of.

9. Order dasti.

MUKTA GUPTA, J.

JULY 30, 2018

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