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

+ **BAIL APPLN. 2519/2018**

AMIT KUMAR

..... Petitioner

Represented by: **Mr.Awadesh Kumar, Advocate**

versus

STATE

..... Respondent

Represented by: **Ms.Meenakshi Chauhan, APP for the
State with SI Amit Tyagi, PS Karol
Bagh**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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29.10.2018

1. By this petition, the petitioner seeks regular bail on merits.
2. The allegations in the abovenoted FIR based on the complaint of Kartik Mandal, the complainant are that the accused petitioner along with Vishal @ Jolly and Mithun had cheated him and misappropriated his gold jewellery weighing 1894.920 grams. In a case of conspiracy, co-accused Mithun had introduced Vishal @ Jolly @ Kumar Sahab as a big trader in the field of Gold and Silver. They had struck deals and obtained the confidence of the complainant. Thereafter Mithun took the complaint to do business in Mumbai. On 18th April, 2018 Mithun and Vishal called the petitioner herein at Hotel Royal Plaza, Ashoka Road, Delhi who represented himself as a PA to Senior Member of Parliament and arranged a Fortuner Car along with PSOs. Thereafter the petitioner reached at the shop of the complainant

BAIL APPLN. 2519/2018

page 1 of 3

where Mithun was waiting and Mithun introduced the petitioner as PA to the Senior MP and that he wanted to purchase the jewellery in bulk. He induced the complainant to handover gold jewellery weighing 1894.920 grams to the petitioner. Petitioner handed over a cheque of ₹34 lakhs to Mithun and asked to collect balance amount from his office in Kirti Nagar. Petitioner took away the jewellery and reached Pusa Road near Karol Bagh Metro Station as per plan where Vishal @ Jolly @ Kumar Sahab took the jewellery and Mithun proceeded for Kirti Nagar along with Sufal Das, a friend of the complainant to collect the balance amount from the office but successfully dodged.

3. Considering the role assigned to the petitioner, this Court finds no ground to grant regular bail to the petitioner.

4. Petition is dismissed.

Crl.M.A.No.34919/2018

1. By this application, the petitioner seeks interim bail on the ground that his father has passed away.

2. As per the status report handed over in Court and taken on record, it has been verified that the father of petitioner passed away on 17th October, 2018 and the tehravi ceremony was to be performed on 25th October, 2018. The petitioner has two elder brothers and one married sister. The family of the petitioner is staying in a Government accommodation allotted to his mother at Jhandewalan, PS Nabi Karim.

3. Considering the fact that the father of the petitioner has passed away, this Court deems it fit to grant interim bail to the petitioner. It is therefore directed that the petitioner be released on interim bail for a period of 2

weeks on his furnishing a personal bond in the sum of ₹25,000/- with two surety bonds of the like amount, one of whom will be the mother of the petitioner and to the satisfaction of the learned Trial Court.

4. Application is disposed of.

5. Order dasti.

MUKTA GUPTA, J.

OCTOBER 29, 2018

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