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

+ **BAIL APPLN. 2656/2018**

AMIT JAIN

..... Petitioner

Through: **Mr. Sumit Khatri, Advocate**

versus

STATE

..... Respondent

Through: **Mr. Ashish Dutta, APP with SI
Sunil Kumar, PS:Darya Ganj,
New Delhi
Mr. Vinay Mohan Sharma,
Advocate for respondent No.2**

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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04.12.2018

1. Learned counsel for the petitioner submitted that he has brought a demand draft, bearing No.128303 dated 3.12.2018 for a sum of Rs.5,00,000/- for handing over to the complainant, without prejudice to the rights and contentions of the parties. Learned counsel for the complainant, on instructions from the complainant present in Court, submitted that the complainant is ready to take the demand draft of Rs.5,00,000/- without prejudice to the rights and contentions of the parties. Accordingly, the demand draft for Rs.5,00,000/- is handed over to the complainant by the learned counsel for the petitioner, without prejudice to the rights and contentions of the parties. Learned counsel for the petitioner further submitted that the co-

accused, Rohit Jain, vide order dated 13.4.2017 passed by the High Court, has already been granted anticipatory bail on payment of Rs.5,00,000/-. Learned counsel for the petitioner further submitted that he has already moved an application for cancellation of process and the action under Sections 82/83 of the Code of Criminal Procedure, 1973 (Cr. PC).

2. The Investigating Officer, present in Court, submitted that he shall be filing a charge-sheet within the next three weeks.

3. In view of the aforesaid facts and circumstances, as well as payment of Rs.5,00,000/- through demand draft to the complainant without prejudice to the contentions of the parties and subject to future adjustment, if any, the petitioner is granted anticipatory bail and he be released on furnishing personal bond in the sum of Rs.40,000/-, with one surety of the like amount to the satisfaction of the Station House Officer ('SHO')/IO. However, it is directed that the petitioner shall join and cooperate in the investigation, as and when required by the SHO/IO for the purposes of investigation.

4. It is clarified that this Court has not expressed any opinion in the aforesaid order on the application filed by the petitioner or being filed by the petitioner for cancellation of process and the action, if any, under Sections 82/83 of the Cr. PC and the Court of the concerned Metropolitan Magistrate may pass any appropriate order on such an application as per

law, without being influenced by this order.

5. Accordingly, the bail application is disposed of.

Dasti.

CHANDER SHEKHAR, J

DECEMBER 04, 2018

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