

\$~2

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

% Judgment delivered on: 30.11.2018

+ BAIL APPLN. 1802/2017

NAVEEN KUAR HOTLA Petitioner

versus

STATE GNCT OF DELHI Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Vikrant Choudhary and Mr. Rahul Dadwal,
Adv.

For the Respondent: Ms. Kusum Dhalla, APP for the State with SI
Jitender Joshi, PS Sabji Mandi

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

30.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 635/2015 under Sections 468/471/506 of the Indian Penal Code, 1860, Police Station Sabji Mandi, Delhi.

2. The allegations are that the petitioner was a witness to a receipt-cum-agreement based on which another FIR being FIR No. 73/2012 was registered in which the complainant of the present FIR was the accused. During investigation of the said FIR, it transpired that the document i.e. receipt-cum-agreement which was alleged to have been

witnessed by the petitioner were forged as the signatures of the petitioner did not match and accordingly a cancellation report was filed.

3. Subject FIR was registered against the petitioner on the complaint that he had forged the said receipt-cum-agreement based on which the other FIR was registered against the complainant.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated and that the document is genuine. Learned counsel submits that the complainant in FIR No. 73/2012 is protesting against the cancellation report filed by the prosecution in that FIR.

5. By order dated 08.09.2017, the petitioner was granted interim protection subject to joining investigation.

6. Learned Addl. PP, under instructions, submits that the petitioner joined investigation whenever was so required by the Investigating Officer and investigation qua the role of the petitioner is merely complete and the chargesheet is in the process of being finalised for being filed in Court.

7. Without commenting on the merits of the case and keeping in view the totality of the facts and circumstances and on perusal of the records, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

8. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. Petitioner shall not do anything that may prejudice either the trial or the prosecution witnesses.

9. The petition is disposed of in the above terms.

10. Order *Dasti* under signatures of the Court Master.

NOVEMBER 30, 2018
'rs'

SANJEEV SACHDEVA, J

भारतमेव जयते