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

+ **BAIL APPLN. 1921/2017**

SURAJ KUMAR BARNWAL

..... Petitioner

Represented by: Mr. Girish Sharma, Ms.
Sushma Sharma, Advs.

versus

STATE GNCT OF DELHI

..... Respondent

Represented by: Mr. Amit Gupta, APP with Si
Amit Kundu PS Moti Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

12.02.2018

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By this petition the petitioner seeks bail in case FIR No. 33/2017 under Sections 420/465/468/471/120B IPC registered at PS Moti Nagar on the complaint of one Jitender Bhatia.

The allegations in the above-noted FIR registered on the written complaint of Jitender Bhatia duly signed by other persons was that they saw posters for direct recruitment in Delhi Metro and mobile No.9654971608 was mentioned in the said advertisement. When the aspirants contacted the said number they were asked to come with their 10th and 12th Class certificate along with the I.D. proofs. Job seekers i.e. victims were lured to deposit to ₹2250/- as processing charges which amount was mostly paid in cash. Despite registration with the accused the victims did not get any job

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offer. Thus multiple complaints besides the one by Jitender Bhatia were received.

As per the investigation the petitioner rented premises No.WZ-6 (A-9), Kailash Park, Moti Nagar in December 2016 from its owner Smt. Jaspreet Kaur and started a placement agency in the name and style of M/s. MH-7 Security and Manpower Solution and published pamphlets and handbills inviting applications from general public for jobs in Delhi Metro. During the course of investigation 35 victims have come forward to give their complaints.

The petitioner has been in custody since 6th February, 2017. Learned counsel for the petitioner submits that even if the amount cheated from the 35 complainants is to be considered, to show his bonafides the petitioner's wife is willing to deposit a sum of ₹25,000/- with the learned Trial Court, as the allegation of deposit of ₹52,000/- is in the account of one Virender Singh Kadian and not the petitioner herein.

Learned APP for the State submits that besides the 35 victims depositing ₹2250/- in cash with the petitioner and his associates ₹52,000/- has been deposited in the account of Virender Singh Kadian by one Rajni and a sum of ₹50,000/- is stated to have been deposited by one Vaishali. However, the fact that as to in which account money was deposited by Vaishali has not been verified by the investigating agency.

Considering the fact that the petitioner has been in custody for more than one year now and is willing to deposit a sum of ₹25,000/- without prejudice to his rights and contentions, this Court deems it fit to grant bail to the petitioner as the trial is likely to take time for conclusion. Consequently,

on the petitioner depositing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the learned Trial Court petitioner be released on bail subject to the further condition that he will deposit a sum of ₹25,000/- with the learned Trial Court which amount will be kept in a fixed deposit by the learned Trial Court subject to the final outcome of the trial. The petitioner would also not leave the country without the permission of the Court concerned and in case of change of residential address will intimate the same to the learned Trial Court by way of affidavit.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 12, 2018
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