

\$~19

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

+ **BAIL APPLN. 3149/2019**

RAJESH KUMAR

..... Petitioner

Through Mr. Harsh Ahuja, Mr. Kushal Kumar
and Mr. S. Katyal, Advs.

versus

STATE

..... Respondent

Through: Ms Meenakshi Chauhan, APP for
State with SI Mahavir Singh, PS
Okhla Industrial Area.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

20.12.2019

CRL.M.A. 43264/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

Bail Appln. No.3149/2019

3. The petitioner has filed the present petition seeking anticipatory bail in connection with FIR No.436/2019, under Section 407 of the IPC, registered with PS Okhla Industrial Area.
4. The said FIR was registered at the instance of one Mr. Sandeep Kumar (an official of Akzonobal (I.) Ltd.). It is alleged that the petitioner, who is a driver of a transport vehicle, was handed over certain goods to supply the same to various dealers on 24.10.2019 and 25.10.2019. It is alleged that the petitioner had misappropriated the said goods which were

worth ₹6.5 lacs approximately, as he had not delivered the same to the dealers to whom the said goods were consigned.

5. According to the respondent, enquiries were made from various dealers. Their statements have been recorded, which indicate that the goods handed over to the petitioner had not been delivered to them. The petitioner disputes the same.

6. The learned counsel appearing for the petitioner has shown a bunch of delivery challans which bear the endorsement of receipts by various dealers. The learned counsel for the petitioner also points out that the petitioner has filed a civil suit against Sh. Amit Baxi, proprietor of Synergy Baxi Logistic. He states that Mr. Amit Baxi is also the principal promoter of Akzonobal (I) Ltd, as is evident from the fact that their addresses are the same.

7. In view of the above, this Court considers it apposite to allow the present petition. The petitioner is admitted to anticipatory bail on furnishing a personal bond of ₹25,000, with two sureties of an equivalent amount to the satisfaction of the Investigating Officer. This is also subject to the petitioner appearing before the Investigating Officer on 23.12.2019 at 10:30 AM and joining the investigation.

8. The petition is disposed of in the aforesaid terms.

9. Order *dasti* under the signatures of the Court Master.

DECEMBER 20, 2019/ DR

VIBHU BAKHRU, J