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

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Judgment delivered on: 29.07.2019

+ BAIL APPLN. 118/2018

HIMANSHU GOYAL

..... Petitioner

Versus

THE STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Daljeet Singh, Adv.

For the Respondent : Mr. Hirein Sharma, Addl. PP for the State with SI
Jitender

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks anticipatory bail in FIR No. 915/2016 under Sections 420/406/120-B of Indian Penal Code, Police Station K.N. Katju Marg.

2. The subject FIR has been registered on a complaint made on 09.02.20016.

3. As per the complainant, he was interest in buying some property and the co-accused, who was running the business of sale and purchase of properties, introduced him to the petitioner. It is alleged that the petitioner represented himself to be owner of property

bearing no. C-9/23, Sector-15, Rohini, Delhi which was claimed to be the property of the petitioner.

4. It is alleged that a sum of Rs. 25 lakhs was given as the earnest money and subsequently it is alleged that the petitioner informed that the property was mortgaged and that the petitioner was not even the owner of the said property.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the complainant, co-accused and others are anti-social elements and they threatened and forced the petitioner to sign certain documents. He submits that the petitioner made a complaint on 30.01.2016 to the police much prior to the complaint having been made by the complainant. He submits that the petitioner is not owner of the subject property and has not received any money from the complainant.

6. By order dated 16.01.2018, the petitioner was given interim protection subject to joining investigation.

7. Learned Addl. PP, under instructions from the IO, submits that the investigation qua the role of the petitioner is nearly complete and he has given his signatures for verification to the FSL and as off now there is no further requirement of the petitioner to join investigation.

8. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that

the petitioner has made out a case for grant of anticipatory bail.

9. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail, on petitioner furnishing a bail bond in the sum of Rs. 25,000/- 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. Petitioner shall join the investigation as and when so required by the IO.

10. Petition is allowed in the above terms.

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

JULY 29, 2019
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SANJEEV SACHDEVA, J