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

+ **BAIL APPLN. 159/2020**

RAKESH BILLA

..... Petitioner

Through: Mr Rehan Alam and Mr Alok
Kacharu, Advocates

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.
SI Jitender Joshi, PS Subzi Mandi.
Mr Dalip Singh, Advocate for
complainant along with complainant
in person.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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10.02.2020

1. The petitioner has filed the present petition, *inter alia*, praying for bail in FIR No. 92/2017, under Section 420 of the IPC, registered with Police Station Subzi Mandi.
2. The said FIR was lodged at the instance of one Sh. Manjeet Singh. He alleged that the petitioner had represented that he was the owner of 50% of the property bearing no. B-3/182, Janak Puri, New Delhi, measuring 351 sq. meters, and had induced the complainant to agree to purchase the second floor of the said building, consisting of three bedrooms, for a total consideration of ₹2,50,00,000/-. The complainant has also alleged that the petitioner had insisted that a sum of ₹1,00,00,000/- be paid in cash.
3. The complainant had also placed on record an agreement to sell and a receipt evidencing the aforesaid transaction. Whereas the complainant, claims that he paid a sum of ₹1,00,00,000/-, however, the petitioner seeks to

dispute the same. It is the prosecution's case that the petitioner, with the *mala fide* intention of cheating the complainant, had demanded and received the sum of ₹1,00,00,000/- in cash.

4. The charge-sheet has been filed and investigation in this regard has been completed.

5. The complainant has also filed a suit, which is pending.

6. The petitioner was placed in judicial custody during the investigation. His custody is no longer required for the said purpose. There is little scope for tampering of evidence as the principal material against the petitioner are the documents allegedly signed by him.

7. Considering the above, this Court directs that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹2,00,000/- with one surety of an equivalent amount to the satisfaction of the Trial Court. This is also subject to the petitioner complying with the following conditions:

- (a) The petitioner shall not leave the country and shall surrender his passport to the Trial Court.
- (b) The petitioner shall provide his mobile number and ensure that he is reachable at all times.
- (c) The petitioner shall ensure that he is duly present and is represented at all hearings before the Trial Court.
- (d) The petitioner shall not try to contact any of the witnesses directly or indirectly.

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

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

VIBHU BAKHRU, J

FEBRUARY 10, 2020
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