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

+ **BAIL APPLN. 200/2020**

VIKAS VATS

..... Petitioner

Through: Mr Arpit Bhalla, Advocate.

versus

THE STATE OF DELHI

..... Respondent

Through: Ms Kusum Dhalla, APP for State with
ASI Anil Kumar, PS P. V. West.
Mr Pulkit Thareja, Advocate for the
complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.01.2020

CRL.M.A. 1618/2020

1. Allowed, subject to all just exceptions.

BAIL APPLN. 200/2020

2. Issue notice. Ms Dhalla, learned APP accepts notice.

3. The petitioner has filed the present petition seeking anticipatory bail in connection with FIR No. 0467/2019 under Section 420 of the IPC registered with PS Paschim Vihar West.

4. The said FIR was registered at the instance of one Ajay Bhardwaj (the complainant). He claimed that he was working in Delhi State Co-operative Bank at the post of Assistant Manager. He stated that the petitioner is his cousin and they both enjoyed good family relations. The complainant

alleged that he had blind faith on the petitioner and had given him free access to his house. He also stated that the petitioner used to deposit electricity bills of the complainant by collecting cheques from the house of the complainant. It is stated that sometime back, the petitioner had taken blank cheques signed by the complainant and his wife from their almirah on the instructions of the complainant in the absence of his wife. In other words, it was the complainant's case that the petitioner had full access even to his private almirah. He alleges that the petitioner had stolen some cheques and had misused them.

5. A perusal of the said FIR indicates that the petitioner had filed complaints under Section 138 of the Negotiable Instruments Act, 1881 (NI Act) regarding the dishonour of some cheques, allegedly issued by the complainant. The complainant had also alleged that he invested certain money in the property business of the petitioner since the year 2011.

6. The petitioner alleges that the said FIR has been filed as a counterblast to avoid liability and to create a defence in the proceedings under Section 138 of the NI Act instated by the petitioner against the complainant.

7. Given the circumstances of the case and nature of allegations made, this Court is of the view that it is not necessary to take the petitioner in custody.

8. Accordingly, the present petition is allowed and the petitioner shall released on anticipatory bail, subject to his furnishing a personal bond in the sum of ₹10,000/- and one surety of an equivalent value to the satisfaction of

the concerned Investigating Officer (IO)/SHO. This is also subject to the petitioner joining the investigation and co-operating with the IO.

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

VIBHU BAKHRU, J

JANUARY 24, 2020
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