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

+ **BAIL APPLN. 455/2020**

PARVESH JAIN

..... Petitioner

Through: Mr K.K. Tyagi, Advocate.

versus

STATE

..... Respondent

Through: Ms Aashaa Tiwari, APP for State.
ASI Devender Kumar, PS Farsh
Bazar.
Mr Aditya Raj Jain, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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20.03.2020

1. The petitioner has filed the present petition, *inter alia*, praying for an anticipatory bail in connection with FIR No. 149/2019, under Sections 420/406/467/471/120B of the IPC, registered with Police Station Farsh Bazar. The status report has been filed which indicates that the petitioner has already joined the investigation.
2. The said FIR was registered at the instance of one Ms Archana Jain. She had alleged that fraud had been committed by the petitioner and the co-accused, Mr Rahul Bajaj. She alleged that the petitioner lives in their neighbourhood and she is acquainted with him for the past ten-twelve years. The complainant and her family members were looking to purchase a house and the petitioner had introduced them to one Mr Rahul Bajaj. It is stated that Mr Rahul Bajaj had, thereafter, shown a house (House No. 4/2724, Gali No. 4, Bihari Colony) to the complainant and her son. It is stated that the

petitioner had also accompanied them to show the house. Thereafter, the complainant had entered into a transaction to purchase the said house for a sum of ₹40,00,000/- and certain amounts had also been paid to Mr. Rahul Bajaj.

3. The learned counsel appearing for the complainant submits that Mr. Rahul Bajaj had been granted interim bail on the ground that he is interested in settling the matter with the complainant. However, he has not settled the matter and has not repaid the amounts as collected from them. Therefore, the complainant has filed an application for cancellation of the bail granted to him. The complainant also opposes the present petition.

4. This Court is of the view that the role of the petitioner in the alleged offence, is different from that of Rahul Bajaj and therefore, his case cannot be considered in parity with that of Rahul Bajaj.

5. The learned counsel appearing for the State states that money had been collected by Rahul Bajaj.

6. Considering that the petitioner has joined the investigation, this Court considers it apposite to grant anticipatory bail to the petitioner on his furnishing a personal bond in the sum of ₹25,000/- and two sureties of an equivalent amount to the satisfaction of the Trial Court. This is also subject to the petitioner continuing to fully cooperate with the Investigating Officer. The petitioner shall also not leave the National Capital Territory of Delhi without approval of the Court.

7. The petition is allowed in the aforesaid terms.

8. It is clarified that the said order would not inure to the benefit of the co-accused (Rahul Bajaj) in any manner.
9. Order *dasti* under signature of the Court Master.

VIBHU BAKHRU, J

MARCH 20, 2020
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