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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 479/2020

ROHIT KUKREJA

..... Petitioner

Through: Mr. Sunil Sharma, DHCLSC.

versus

STATE

..... Respondent

Through: Ms. Rajni Gupta, APP for the State
with Insp. Daya Sagar, SI Sandeep
Rawal and SI R.S.Pandit, PS Kalyan
Puri.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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04.03.2020

This is a petition filed by the petitioner under Sections 439 and 482 and 482 Cr.P.C. seeking bail in case FIR No. 18/2018 under Sections 420/120-B/34 IPC registered at Police Station Kalyanpuri, Delhi.

As per the allegations against the petitioner, he induced the complainant to purchase a property bearing no. E-322, 2nd floor, East Vinod Nagar, Delhi, and obtained a sum of Rs.15,00,000/- from him. It is alleged against the petitioner that the property documents were also executed by the petitioner in favour of the complainant and when the complainant wanted to take possession of the property he came to know that one Gyan Singh Rathore was the owner of the said property.

It is submitted by learned counsel for the petitioner that the petitioner is in judicial custody since 13.09.2019. He submits that complainant is a notorious criminal and is involved in many cases, and there are eight cases against him. He further submits that no amount of Rs.15,00,000/- was taken by the petitioner as alleged and the complainant has no proof of the same. It is further submitted that no written document has been placed on record by the complainant to show that the petitioner has received Rs.15,00,000/- from the complainant. He further submits that examination-in-chief of the complainant has already been recorded.

On the other hand, learned APP for the State has vehemently opposed the bail application and submits that there are four cases of similar nature against the petitioner. She argues that complainant has been cheated of his hard earned money amounting to Rs.15,00,000/-. Learned APP for the State, on instructions from the IO, also submits that petitioner was declared as a Proclaimed Offender in FIR No. 49/2016 registered at Police Station Kalyan Puri. With regard to the submission that petitioner is involved in four similar cases of similar nature learned counsel for the petitioner submits that all the cases filed against him are filed by one Jagmohan Jeet Singh. He further submits that petitioner is in bail in all those cases. It is also submitted that there is no charge of forgery against him.

Be that as it may, since the examination-in-chief of the complainant has already been recorded and since he is in judicial custody since 13.09.2018, petitioner is admitted to bail on his furnishing personal bond in the sum of Rs.50,000/- with one surety in

like amount to the satisfaction of the Trial Court and subject to the condition that he shall not indulge in any illegal activities and will not leave India without prior permission of the court below.

The petition stands disposed of.

A copy of this order shall be transmitted to the Jail Authorities.

Dasti.

RAJNISH BHATNAGAR, J

MARCH 04, 2020

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