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

+ BAIL APPLN. 855/2020

HEMANT SHARMAPetitioner

Through: Mr. S.S. Dahiya, Adv.

versus

STATERespondent

Through: Mr. M.P. Singh, APP for State with Mr.
Paramjeet Singh, P.S. EOW.

Mr. Vibhor Bagga, Adv. for complainant.

CORAM:

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

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27.05.2020

(Video Conference Hearing)

The applicant seeks regular bail in FIR No. 151/2012 P.S. EOW which was originally registered under Section 420/120-B IPC. Applicant was arrested and is in JC since 15.01.2020 and the chargesheet is stated to have since been filed.

During the course of hearing, Mr. Singh, ld. APP submits that the chargesheet is filed for the trial of the offences under Sections 406/408/419/420/ 467/468/471/120-B IPC. Taking through the status report that has come to be filed, ld. APP strenuously contends that there are allegations of cheating, misappropriation and forgery and that the applicant was the Accountant of the complainant firm and thereby, he had conspired for the embezzlement of about four crores of rupees on account the purported business transactions of the complainant firm involving sale/purchase of printing material by the complainant firm M/s. V.Tech Marketing to the main accused Mr. Vishal Prajapati.

Mr. Dahiya, ld. counsel for the applicant during the course of hearing submits that the complainant has already filed a suit for recovery as also complaints under Section 138 N.I. Act against the main accused Mr. Vishal Prajapati and the same are pending adjudication.

At this stage, Mr. Bagga, ld. counsel for the complainant seeks liberty to join to point out certain facts. At the outset, he submits that a bail application of another co-accused is listed before Hon'ble Mr. Justice Anup Jairam Bhambhani and it would be desirable that both the bail applications are heard by one Bench. Having heard the application on merits, the submission made is rejected. Suffice to say, bail application of co-accused would be founded on the role attributed to him. Ld. counsel for the complainant however concedes that besides the civil suit and the complaints filed under Section 138 N.I. Act, the investigations in the instant case are complete.

Taking into account the totality of facts and circumstances, the applicant is admitted to bail on his executing a personal bond in the sum of Rs.50,000/- to the satisfaction of the Jail Superintendent concerned. Application stands disposed of accordingly.

A.K. CHAWLA, J

MAY 27, 2020

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