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

+ **Bail Appl. No. 866/2020**

BRIJESH KUMAR

..... Petitioner

Through: Mr. Arvind Kumar Shukla,
Advocates.

Versus

STATE

..... Respondent

Through Mr. Ravi Nayark,
Ld. APP for the State with IO
SI Praveen Kumar: PS
Shahbad Dairy.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

18.05.2020

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BRIJESH SETHI, J.

The hearing has been conducted through video conferencing.

Bail Appl. No. 866/2020 & CRL. M.B.5910/2020(Interim Bail)

1. Today, the matter was listed for Regular bail as well as for interim bail filed on behalf of the petitioner.
2. On the regular bail application, it is submitted by Ld. Counsel for the petitioner that he is not pressing for regular bail at this stage as he is not aware about the involvement of petitioner in other cases as alleged by the prosecution and he is also not able to contact the family members of the petitioner and, thus, is not in possession of all the required documents. It is, therefore, requested that liberty be granted to him to move fresh regular bail application as and when he receives all the required documents.

3. Heard. Liberty granted as prayed for.
4. Regular bail application, thus, stands disposed of as 'not pressed'.
5. With regard to the interim bail, it is submitted by Ld. Counsel that petitioner is innocent and has been falsely implicated. Petitioner is in JC since 16.10.2019. Widowed mother of the petitioner is suffering from high fever and acute respiratory problems because of lung disease. It is further submitted that other two sons are residing separately and therefore, there is no one in the family to look after her except petitioner. It is, therefore, prayed that petitioner be released on interim bail to look after his ailing mother in the interest of justice.
6. Ld. APP for the state has opposed the interim bail application and submitted that allegations against the petitioner are serious in nature. The allegations against the petitioner are with regard to cheating of Rs. 37 Lakhs. It is submitted that mother of the petitioner is residing with his two sons, namely, Sudarshan and Kapil who are there to look after her and therefore, presence of petitioner is not required. It is, therefore, prayed that the present interim bail application be dismissed.
7. I have considered the rival submissions. Other two brothers of the petitioner, who have refused to give statement to the police official during inquiry conducted on the basis of additional affidavit filed by the petitioner, are stated to be residing with the mother of

the petitioner and can, thus, look after their ailing mother. The fact that other two sons are residing with the petitioner's mother is also clear from the statements of Sh. Praveen Kumar s/o Sh. Sita Ram and Sh. Devender S/o Sh. Dayanand. In view of the above facts appearing on record and also keeping in view the previous conduct of the petitioner i.e. his involvement in two more cases i.e. FIR no. 906/17, u/s 420/468/471/506/120B/34 IPCPS Shahbad Dairy and FIR no. 02/10 u/s 420/468/471 IPC PS Ranhola Delhi, this court finds no ground for grant of interim bail to the petitioner. The interim bail application is, therefore, dismissed and stands disposed of accordingly.

8. A copy of this order be uploaded on the website of this court forthwith.

BRIJESH SETHI, J

MAY 18, 2020

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