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

+ BAIL APPLN.1110/2020
CRL. M.A. 7136/2020 (interim protection)

PRADIP MAJUMDARPetitioner
Represented by: Mr.Anjani Kr. Mishra and
Ms.Hardeep Kaur, Advocates.

versus

STATE Respondent
Represented by: Mr.Amit Chadha, APP for State with
SI Chanchal Singh, EOW.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
16.06.2020

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1. The hearing has been conducted through Video Conferencing.
2. By Bail Appl. No.1110/2020, petitioner seeks anticipatory bail in case FIR No.225/2019 under Sections 406/420/120B IPC registered at PS EOW.
3. The FIR was registered on the complaint of one Ashitava Bhomik, the present President of the Kali Mandir Society, Chitaranjan Park, New Delhi. In the complaint the complainant alleged that after being elected as President of Chitrnanjan Park Kali Mandir Society (Regd.), he came to know about the gross financial irregularities during the tenure of the earlier Society of which the petitioner was the Secretary.
4. On a query put by this Court, learned APP for State on instructions from the Investigating Officer fairly states that the petitioner was the Secretary of the Society from the year 2016-2018. The investigation carried out revealed that the misappropriation of the funds of the Society as also

misappropriation of the gold jewellery donated spans for over more than 10 years and various individuals have been members of the executive committee and have worked as President, Secretary, Treasurer etc. of the Society. One of the allegations is regarding the duplicate payment vouchers being made for i.e. two bills for a sum of ₹22,770/- and ₹15,200/- both dated 4th October, 2016 prepared by one Amit Chakraborty for the work of whitewash of the mandir premises by the painter Arun Maity.

5. On a query put by this Court as to whether it was at the instance of the petitioner or whether the petitioner's connivance has been found out, the investigating agency at this moment is not in a position to give any specific answer. Further as regards the gold jewellery also it is noted that the certificates of gold from 2006-2017 do not show any loss or misappropriation of the gold as presently equal weight of gold is available in bank locker however, according to the information received gold ornaments donated by the devotees before 2004 were missing and the valuation certificate from the year 1998 to 2002 revealed that approximately 402.62 grams gold was donated by the devotees during the said period and the petitioner was not either the President, Secretary or the Treasurer in the years prior to 2004.

6. Considering the nature of the allegations and that for the period 2016 to 2018 when the petitioner was the Secretary no substantial allegations of misappropriation have been substantiated against the petitioner so far, that the investigation is likely to take a long time, and the petitioner having roots in the society there is no likelihood of his fleeing away from justice, this Court deems it fit to grant anticipatory bail to the petitioner.

7. It is, therefore, directed that in the event of arrest the petitioner be

released on bail on his furnishing a personal bond in the sum of ₹25,000/- with two surety bonds of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned further subject to the condition that the petitioner will join the investigation as and when directed and in case he wishes to leave the country, he will seek prior permission of the court concerned.

8. Applications are disposed of.
9. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JUNE 16, 2020
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