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

\+ **<u>BAIL APPLN. 1517/2020</u>**

PRIYAM YADAV ..... Petitioner

Through: Mr Ravindra Narayan, Advocate.

versus

STATE OF NCT OF DELHI ..... Respondent

Through: Ms Kusum Dhalla, APP for State.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

<u>O R D E R</u>

% **10.07.2020**

[Hearing held through video conferencing]

1. The petitioner has filed the present petition seeking interim bail for a period of three months in FIR No.138/2020 under Sections 384/385/419/420/34/120-B of the Indian Penal Code, 1860 (IPC) registered with PS Special Cell.

2. The said FIR was registered at the instance of a woman, who is stated to be a practising doctor (hereafter 'the complainant'). The complainant stated that on 14.05.2020, she had met a person named Rohit Gujral, on a social media site (Tinder). She alleges that he claimed that he was an orthopaedic surgeon working in two well-known super speciality hospitals as a visiting doctor. She stated that they started connecting with each other on phone and Whatsapp and also exchanged some private videos.

Thereafter, he asked her to marry her.

3. During the course of their communication, he asked her for financial help to the extent of ₹50,000/-. She claims that she sent him ₹30,000/- on 18.05.2020. It is further alleged that he also persuaded her to establish physical relationship with one of his friends, namely, Anand on the ground that he was being blackmailed by that person. She stated that she booked an Oyo room near C. R. Park on 23.05.2020 and met Mr Anand but they were not allowed entry in the said hotel. Thereafter, the said Mr Anand booked another room in G. K.-II, M Block, but they were denied entry into that hotel as well. They decided to plan for another day. Subsequently, she refused to meet Anand and she claims that on doing so she was threatened by Rohit Gujral.

4. A status report has been filed, which indicates that investigation releavled that Rohit Gujral and Anand are one and same person. Ms Dhalla, learned APP submits that Anand put a photograph of a third person (handsome person) on the social media site as Rohit Gujral. It is prosecution's case that Anand @ Rohit Gujral had met various women on the social media platform and cheated them of their money. She states that according to prosecution, the money paid by the complainant went into the account of the petitioner herein. In addition to the same, the petitioner has also received funds in his account from two other women alleged to have been cheated by the said Mr Anand. It is further stated that the petitioner had also provided his vehicle to Anand to travel to Lajpat Nagar to meet the complainant.

5. It is clear from the status report that it is not the prosecution's case that the petitioner was in touch with any of the women, who were allegedly cheated by Mr Anand. There is no allegation that he had met either the complainant or any of the other women who were duped by Mr Anand. The only incriminating material against him is that he had received money in his bank account and had lent his car to the accused (Anand).

6. According to the petitioner, Anand had borrowed some money from him and funds received by him were in discharge of that liability.

7. The petitioner has been in custody since 29.05.2020.

8. Considering the nature of allegations against the petitioner and particularly, the fact that petitioner had never contacted the complainant or any of the other women, who had allegedly transferred funds into his account, this Court considers it apposite to allow the present petition.

9. The petitioner shall be released on interim bail for a period of three months from the date of his release on his furnishing a personal bond in the sum of ₹10,000/- to the satisfaction of the concerned Jail Superintendent. This is also subject to the further following further conditions:-

a) the petitioner shall cooperate with the Investigating Officer and provide all material called for by him, subject to the same being available with the petitioner or under his control;

b) the petitioner shall not leave the National Capital Region without informing the Investigating Officer; and

c) the petitioner shall not contact either the complainant or any of the women, who had allegedly transferred funds in his bank accounts, or any of their family members.

10. The petition is disposed of in the aforesaid terms.

11. A copy of this order be communicated to the concerned Jail Superintendent electronically.

VIBHU BAKHRU, J

JULY 10, 2020/MK