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

+ **BAIL APPLN. 2216/2020**

RAJEEV BHATIA

..... Petitioner

Through: Mr Hitesh Kumar Bhardwaj,
Advocate.

versus

THE STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Mr Ravi Nayak, APP for State with
SI Lalit PS Preet Vihar.
Ms Mamta Chandel, Advocate for
complainant along with complainant.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.09.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition seeking anticipatory bail in connection with FIR No.0136/2019 under Section 420 of the IPC registered with PS Preet Vihar.
2. By an order dated 18.08.2020, this Court had directed that no coercive steps be taken against the petitioner subject to the petitioner appearing before the concerned Investigating Officer (IO) on 21.08.2020 at 10:30 AM. The petitioner has joined the investigation and had appeared before the concerned IO on 21.08.2020.
3. The FIR in question was lodged at the instance of one Diljam Manan. He had alleged that he had supplied goods to the petitioner against five bills

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for a total value of ₹14,38,839.22. However, against the said amount, the petitioner had only paid a sum of ₹6,08,937/-.

4. The statement of accounts indicates that the petitioner had paid for the three consignments but had failed to pay consideration for the two remaining consignments. It is the case of the petitioner that the said payments have not been made due to certain issues with the quality.

5. On the other hand, the complainant alleges that the same is a ruse and the modus adopted by the petitioner is to cheat the suppliers. The goods supplied to the petitioner were not returned and no issue regarding quality was raised at the material time. It is alleged that the petitioner had adopted similar modus in respect of other suppliers as well.

6. Mr Bhardwaj, learned counsel appearing for the petitioner states that the petitioner has agreed to pay a sum of ₹ 9,00,000/- to the complainant in full and final settlement of his claims. He states that a demand draft (DD No.0600078 drawn on HDFC Bank) of ₹2,00,000/- is in his possession and shall be paid to the complainant's concern immediately. He has also shared the virtual image of the same. In addition, Mr Bharadwaj states that the petitioner also undertakes to pay a further sum of ₹2,00,000/- within ten days from today. He would pay ₹2,50,000/- in the month of October, 2020 and the remaining ₹2,50,000/- in the month of November, 2020.

7. The petitioner is bound by the statement made by Mr Bhardwaj, advocate on behalf of the petitioner.

8. In view of the above, the petitioner is granted anticipatory bail subject

to his furnishing a Personal Bond in the sum of ₹10,000/- and one surety of an equivalent amount to the satisfaction of the concerned IO. This is also subject to the petitioner complying with the undertaking as recorded above.

9. The petition is disposed of.

VIBHU BAKHRU, J

SEPTEMBER 03, 2020
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