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

+ **BAIL APPLN. 2286/2020**

SHANTI SWAROOP SATIJA Petitioner

Through: Mr Ujjwal Puri, Advocate.

versus

STATE(NCT OF DELHI) Respondent

Through: Mr Ravi Nayak, APP for State with
SI Varun, PS EOW.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **24.08.2020**

[Hearing held through video conferencing]

CRL.M.A. 11427/2020 & CRL.M.A. 11428/2020

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

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3. The petitioner has filed the present petition, *inter alia*, seeking anticipatory bail in connection with FIR No.0086/2019 under Sections 420/409/120B of the IPC registered with PS Connaught Place.
4. Mr Puri, learned counsel appearing for the petitioner submits that the complainant in the said FIR is also supporting another FIR being FIR No.151/2017 and his statement under Section 161 of the CrPC has been recorded by the investigating officer in that case, as well. He submits that the petitioner was granted bail in the said FIR after spending two years in

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judicial custody. He states that the custodial interrogation of the petitioner is not required as the investigation in that case has been completed.

5. He also submits that the complainant cannot maintain the FIR in question (FIR No.0086/2019) as he has already supported the FIR (FIR No.151/2017) filed by another complainant, wherein similar allegation against the petitioner have been made.

6. This Court does not consider it apposite to allow the present petition. The allegations against the petitioner are of running a fraudulent scheme to cheat various persons. The complainant in this case claims to be one of the victims. The complainant alleges that he was induced to invest an aggregate sum of ₹22,82,000 on the basis of certain assurances. He has not been paid the assured returns as promised nor has been returned the amount invested by him. Merely because that the statement of the complainant under Section 161 of the CrPC has been recorded in another FIR does not preclude the complainant from filing a separate FIR in respect of transactions entered into by him.

7. The facts specific to the complainant require to be investigated.

8. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

AUGUST 24, 2020
MK