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

+ **BAIL APPLN. 2711/2020 & CRL.M.A. 12810/2020**

MUKHTAR ALAM

..... Applicant

Through: Mr.Rupin Singh Dhama, Advocate.

Versus

STATE NCT OF DELHI

.....Respondent

Through: Mr.Ashok Kumar Garg, APP for State.

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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17.09.2020

(hearing through Video Conferencing)

CRL.M.A. 12810/2020 (Ex.)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

BAIL APPLN. 2711/2020

The applicant, vide the present application seeks the grant of anticipatory bail in relation to FIR No.263/2020, PS Civil Lines under Sections 379/411/34 of the Indian Penal Code, 1860 submitting to the effect that he has been falsely implicated in the instant case and that the applicant was not involved in the alleged commission of theft and there was no concert of the applicant with the other co-accused persons. It has also been submitted on behalf of the applicant that the other co-accused in the matter have already been released from judicial custody.

It has further been submitted on behalf of the applicant that the applicant had gone out to attend a marriage and had no knowledge of the

proceedings and did not receive any notice from the Investigating Agency and thus, could not join the investigation and was not aware of any of the allegations of his being involved in the case and that he is willing to join the investigation of the case as and when required by the Investigating Agency.

On behalf of the State, learned APP submits to the effect that apart from the factum that the proceedings under Section 82 of the Cr.P.C. have been initiated against the applicant, the applicant is allegedly in possession of a considerable part of the stolen money as received by him which is in his possession allegedly as disclosed by the co-accused and that the said money is to be recovered from the applicant for which his custodial interrogation is required.

On a consideration of the submissions that have been made on behalf of either side, taking into account the aspect that the recovery of part of the alleged stolen money, is yet to be effected which is stated to be in possession of the applicant, there is no ground for the grant of anticipatory bail to the applicant.

The application is thus, declined.

ANU MALHOTRA, J

SEPTEMBER 17, 2020

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