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

+ **BAIL APPLN. 1964/2022**

DAYA SHANHAR MISHRA

..... Petitioner

Through: Mr.Rakesh Kumar Singh, Mr.Rajan
Kumar Singh, Mr.Rajeev and
Mr.Ashok Anand, Advocates

versus

STATE

..... Respondent

Through: Mr.Hemant Mehla, APP for the state
with Mr.Dipanshu Meena, Advocate
Insp.Anand Pratap, PS EOW

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Date of Decision: 22.08.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. This is an application filed under Section 438 r/w Section 482 Cr.P.C. seeking anticipatory bail in case FIR No.76/2021 registered under Section 420/406/467/468/471/120B IPC registered at PS EOW, Mandir Marg.
2. Briefly stated, facts of the present case are that FIR was registered on the complaint of Ravindra Pratap Singh, Authorized representative of M/s Waves Bio fuels India Pvt Ltd. & Director of M/s Trimurti Exim

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Pvt. Ltd. wherein he alleged that the present applicant along with two other co-accused persons namely Piyush Bandopadhyay and Shweta Shrout who have misrepresented themselves and made him believed that they are head of 'Make in India' Project and induced him to invest 32cr. to get the work done and therefore FIR No. 76/2021 was registered. However, it emerged out that the present applicant was also an actual sufferer, and not the part of the conspiracy and in lieu of the aforesaid facts, present FIR No. 76/2021 was filed.

3. Learned counsel for the petitioner submits that on the first date i.e. 01.07.2022, the petitioner was granted interim protection and the same is continued till date. Learned counsel for the petitioner submits that till date, the petitioner has not misused the interim protection and has been regularly attending the investigation.
4. Learned APP, on instruction of the IO, states that the petitioner has been joining the investigation and the investigation is almost complete and charge sheet is likely to be filed within a month. It is also a matter of record that at no point of time IO has taken any step for arrest of the petitioner or his custodial interrogation.
5. Learned counsel for the petitioner has also invited the attention of the court to the compromise deed dated 06.11.2020 entered between the petitioner and complainant whereby it has been stated by the complainant that infact the petitioner never misrepresented himself to be close associate of a senior officer working in PMO. Learned counsel for the petitioner has also stated that the co-accused Piyush Gopal



Bandhopadhyay has been admitted to interim bail by this court.

6. Since, now the investigation is complete and the petitioner has joined the investigation, without going into the merits of the case, the petitioner be admitted to anticipatory bail on furnishing a personal bond of Rs.50,000/- with one surety of the like amount subject to the satisfaction of the IO/learned trial court, subject to the following conditions:
 - a) the petitioner shall cooperate and join the investigation as and when directed;
 - b) the petitioner shall not leave NCR without prior permission of the concerned Court.
 - c) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
 - d) the petitioner shall provide his/her mobile number(s) to the Investigating Officer;
 - e) f) in case of change of residential address and/or mobile number, the petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.
7. With the above directions, the petition stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 22, 2023

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Signature Not Verified
Digitally Signed By:RAJ
BALA
Signing Date:24.08.2023
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