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

+ BAIL APPLN. 165/2024

KRATU KHANNA

.....Petitioner

Through: Dr.Anurag Kumar Agarwal,
Mr.Hirein Sharma and Mr.Prateek
Agarwal, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr.Sanjeev Bhandari, ASC (CrI.) for
State with Ms.Charu Sharma,
Mr.Arjit Sharma, Mr.Vaibhav Vats
and Mr.Nikunj Bindal, Advocates
with SI Rahul, DIU/East.
Mr.Arjun Dewan, Mr.Akash Arora
and Mr.Jasraj Singh Chhabra,
Advocates for complainant.

+ BAIL APPLN. 538/2024

R.S SALARIA

.....Petitioner

Through: Ms.Richa Kapoor, Mr.Kunal Anand,
Mr.Parth Kaushik and Mr.Jai Batra,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr.Sanjeev Bhandari, ASC (CrI.) for
State with Ms.Charu Sharma,
Mr.Arjit Sharma, Mr.Vaibhav Vats
and Mr.Nikunj Bindal, Advocates
with SI Rahul, DIU/East.
Mr.Arjun Dewan, Mr.Akash Arora
and Mr.Jasraj Singh Chhabra,
Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

03.09.2024

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1. BAIL APPLN. 165/2024 under Section 438 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') on behalf of petitioner (Kratu Khanna) and BAIL APPLN. 538/2024 under Section 438 Cr.P.C. on behalf of petitioner (R.S. Salaria), have been preferred for grant of anticipatory bail in FIR No.556/2023 under Sections 406/419/420/467/468/ 471/474/120B/34 IPC registered at P.S. Mayur Vihar.
2. In brief, as per the case of prosecution, present FIR was registered on complaint of Mukul Seth, Director of Khanna Book Publishing Pvt. Ltd. alleging cheating and other cognizable offences against petitioner for violation of agreements dated 03.12.2015 and 01.04.2016 regarding publication of books, of which R.S. Salaria was the author. Apart from above allegations, R.S. Salaria (petitioner) is alleged to have got a book printed titled as 'Effective Communication Skills' which was authored by one Dr.Kulbhushan Kumar, initially through Printing House of the complainant and later on through Khanna Publishers of which Kratu Khanna (petitioner) is the partner.
3. Learned counsel for the petitioners submit that disputes between the parties erupted on account of payment of royalty. So far as the book titled 'Effective Communication Skills' is concerned, it is contended that the aforesaid book was initially printed by the company of complainant with R.S.Salariaia (petitioner) as one of the co-author and there is no violation of Copyright. It is urged that petitioners have already joined investigation, though the same is disputed by learned counsel for the complainant.
4. On the other hand, applications are opposed by learned ASC for State alongwith learned counsel for the complainant. Learned counsel for complainant submits that a false narrative has been set up on behalf of the



petitioner (R.S. Salaria) claiming that he was an owner of a publishing house, namely, 'M/s Salaria Publishing House', though the same was owned by his cousin. Further despite interim protection being granted by the learned ASJ, petitioners failed to join the investigation and conduct of petitioners does not entitle them for grant of bail.

Learned ASC for State also points out that during course of investigation a frivolous call had been received by Investigating Officer influencing the investigation and necessary proceedings have been initiated against one Sheetal Sharma.

5. At the outset, it may be observed that investigating agency is at liberty to take appropriate proceedings, in accordance with law, in case, any frivolous call was received by the IO.

Apparently, present disputes between the parties emanate from publication agreements and also relate to 'royalty' payable on publication of the books. Considering the totality of facts and circumstances, without expressing any opinion on the merits of the case, in the event of arrest, petitioners be admitted to bail on furnishing a personal bond in the sum of Rs. 50,000/- (Rupees Twenty Five Thousand only) each with one surety in the like amount to the satisfaction of IO/SHO, PS Concerned and subject to following conditions:

- (i) Petitioners shall join the investigation, as and when directed by Investigating Officer (IO)/SHO P.S. concerned;
- (ii) Petitioners shall not leave the country without prior permission of the learned trial court and surrender their passports with the IO/SHO, P.S. concerned within four weeks.

Applications are accordingly disposed of. Pending applications, if



any, also stand disposed of.

SEPTEMBER 03, 2024/v

ANOOP KUMAR MENDIRATTA, J.