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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 220/2024 & CRL.M.A. 1731/2024**

KAILASH RANA @ KESHAV SINGH RANA Petitioner

Through: Mr. Ashok Singh, Mr. Ranvijay
Kumar, Mr. Sushant Nagar, Mr.
Vishal Kumar, Mr. Amar Tiwari, Mr.
Aman Prasad and Mr. Prashant
Krishan, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Raghuinder Verma, APP for State
with SI Abhishek Guleria PS
Kalyanpuri

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

29.04.2024

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1. The present petition has been filed under Section 438 CrPC seeking anticipatory bail in connection with FIR No. 0803/2023 under Sections 420/467/468/471/ IPC registered at PS Kalyanpuri.
2. The case of the prosecution is that complainant is having an oil refinery by the name of Shiva Petroleum refinery at Haryana. During the course of business, the present petitioner namely Kailash Rana @ Keshav Singh Rana and his son Jawed Rana had been placing orders of transformer oil w.e.f. 2012. It is also alleged in the FIR that as per terms and conditions the transaction between the complainant and the present petitioner were running smoothly. However, after sometime when the amount of supply of oil by the complainant became bulky, the petitioner stopped making the payments of supplied oil and the outstanding amount of Rs. 40 Lakhs



approximately was withheld.

3. The learned counsel for the petitioner submits that pursuant to the protection granted by this Court *vide* order dated 19.01.2024, the petitioner has joined the investigation as and when he was called upon by the IO concerned, which position is not disputed by the learned APP, on instructions from the IO.

4. He further submits that the dispute is of civil nature arising out of a commercial transaction. The amount that is being alleged to be due has otherwise, become time barred. However, the present criminal proceedings have been instituted only to arm twist the present petitioner.

5. Considering the fact that the petitioner has joined investigation and further the dispute arose out of a business transaction and the amount which is due is stated to have become time barred, it is directed that in the event of petitioner's arrest, he be released on bail subject to his furnishing personal bond in the sum of Rs.50,000/- and a surety bond of the like amount to the satisfaction of the Investigating Officer / Arresting Officer, further subject to the condition that he will join investigation as and when directed by the IO concerned.

6. The petition alongwith pending application stand disposed of.

7. Order *dasti* under signatures of the Court Master.

8. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

APRIL 29, 2024/N.S. ASWAL