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

+ **BAIL APPLN. 960/2024**

MOHINDER PAL SINGH ANAND @ BABLI Petitioner

Through: Mr.Puneet Mittal, Senior Advocate
with Mr.Arvind Kumar Gupta,
Advocates.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Amol Sinha, ASC (Crl.) for State
with SI Karanpal, DIU/NDD.
Mr.Mudit Jain, Mr.Aayush Goswami
and Mr.Kaushtabh, Advocates for
respondent No.2/complainant.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **14.05.2024**

1. An application under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of anticipatory bail in FIR No. 0019/2001, under Sections 420/468/471 IPC, registered at P.S.: Tilak Marg, Delhi.

2. The detailed facts recorded vide order dated 15.03.2024, are reproduced herein for reference:

"3. In brief, as per the case of the prosecution, complainant Harnam Singh alleged that he was handed over two cheques, amounting to Rs. 3.25 lacs by petitioner Mohinder Pal Singh Anand @ Babli, which were issued from the account of Mohinder Pal Singh Sahni but both the cheques got dishonoured due to insufficient balance. Thereafter, Mohinder Pal Singh Sahni got a certificate from Standard Chartered Bank dated 15.10.1998 stating therein that both the cheques did



not bear the signatures of the account holder and filed the same in CRL.M.C. 2203/1999 before the Hon'ble High Court. Complainant alleged that Mohinder Pal Singh Sahni had filed forged bank letter dated 15.10.1998 before the High Court in above mentioned petition.

The investigation was taken up pursuant to directions issued on application under Section 156(3) Cr.P.C. preferred by complainant and after completion of investigation, chargesheet was filed on 30.07.2002 against Mohinder Pal Singh Sahni, while the name of the petitioner Mohinder Pal Singh Anand @ Babli was kept in Column No. 2 (presently referred as Column No. 12) due to insufficient evidence. It is further the case of prosecution that proceedings against Mohinder Pal Singh Sahni were quashed by the Hon'ble High Court on 30.05.2013, while the proceedings against the petitioner Mohinder Pal Singh Anand @ Babli were kept open. The proceedings against Mohinder Pal Singh Anand @ Babli are accordingly pending investigation under Section 173(8) Cr.P.C.”

3. Learned counsel for the petitioner submits that the petitioner has joined the investigation and for purpose of comparison of disputed signatures on the said cheques, documents have already been collected by the investigating agency from Tis Hazari Courts, Delhi. It is further submitted that details of bank account operated in 1997 by petitioner is presently not available and in case the particulars are traced, the same would be shared with the investigating agency.

4. On the other hand, application is vehemently opposed by learned ASC for the State alongwith learned counsel for respondent No.2/ complainant. It is urged that petitioner has failed to give the details of bank account which he was operating at the relevant time for purpose of obtaining the signatures from the concerned bank for comparison with the disputed



signatures on the cheques involved in the present case.

5. I have given considered thought to the contentions raised.

Since the documents already stand collected by the investigating agency from Tis Hazari Courts, Delhi for the relevant time (i.e. 1997 onwards), protection cannot be denied to the petitioner merely on the ground that he has not shared details of bank account operated by him during concerned period. Signatures for purpose of comparison can also be obtained from Passport, Pan Card, etc.

Considering the totality of facts and circumstances, since alleged offence pertains to the year 1997, in the event of arrest, petitioner be admitted to bail on furnishing a personal bond in the sum of Rs. 2,00,000/- (Rupees Two Lacs only) with one surety in the like amount to the satisfaction of IO/SHO, PS Concerned and subject to following conditions:

- (i) Petitioner is directed to share details of his Passport as well as PAN Card with the investigating agency within four weeks, for purpose of comparison of signatures, if any, by the Investigating Agency.
- (ii) Petitioner shall join the investigation, as and when directed by IO/SHO, PS Concerned.
- (ii) Petitioner shall not influence the witnesses in any manner.

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

MAY 14, 2024/v