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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 965/2024**
KAMAL SHARMA

..... Petitioner

Through: Mr.Narender Singh, Adv.

versus

STATE THROUGH SHO PS CYBER POLICE STATION

..... Respondent

Through: Mr.Sanjeev Bhandari, ASC
(Crl.) with Ms.Anvita Bhandari,
Mr.Kunal Mittal, Mr.Arjit
Sharma & Mr.Vaibhav Vats,
Advs.
SI Jagdeep, PS Cyber/Outer
North.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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22.03.2024

1. This application has been filed under Section 439 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), praying for release on bail in FIR No. 0001/2023 registered at Police Station: Cyber Police Station, Outer North, Delhi under Section 420/419/468/471/171 of the Indian Penal Code, 1860.
2. It is pertinent to note that in the above FIR, it is the case of the prosecution that the petitioner had impersonated as a Gazetted Officer working with the Indian Air Force, and in that manner defrauded various persons. Other FIRs against the petitioner have also been registered on the same allegations.



3. In the present application, the applicant contended that his wife is unwell and his two children; one disabled child aged around 3 years and 5 months, and a daughter aged around 17 years, are to be admitted to educational institutions. The applicant has pleaded that the applicant needs to be released on bail to generate funds for their admission and tuition fees, as well as for looking after his wife.

4. Along with the application, the applicant has annexed purported medical documents to show that his wife was unwell. These documents show the name of the patient as '*Surbhi*'.

5. Mr. Sanjeev Bhandari, learned ASC (CrI.), has stated that though the above medical documents have been verified, they appear to be an attempt on the part of the applicant to mislead this Court. He submits that earlier, the applicant had disclosed the name of his wife as Ms.Sunita, and on the basis of her illness, had obtained *interim* bail from the learned Duty Magistrate in Bail Appln. 01/2023 vide order dated 13.06.2023. He submits that even the birth certificate of the male child, which has been annexed with the application, shows the name of the wife of the applicant as '**Sunita Sharma**'. He submits that, in fact, Ms. Surbhi is also a co-accused and has been placed in column 12 of the charge-sheet.

6. From the above, it is apparent that the applicant has not filed genuine documents and has only fabricated them to merely obtain *interim* bail from this Court.

7. The learned counsel for the applicant at this stage prays for leave to withdraw the present application.

8. While the application is dismissed as withdrawn, the applicant



is warned that in future strict action will be taken against the applicant if he indulges in similar activity.

9. This order shall be placed by the applicant in any and all of the applications henceforth filed by the applicant seeking bail, be it *interim* or regular bail.

NAVIN CHAWLA, J

MARCH 22, 2024/rv/RP

Click here to check corrigendum, if any