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

+ BAIL APPLN. 1121/2024

AVINASH@AMIT KUMAR

@ HARISH SHARMA

..... Petitioner

Through: Mr. Davender Kumar, Mr. Sunil Kumar, Mr. Mehul Gupta and Ms. Aslam Shah, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

03.05.2024

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1. By way of present bail application filed under Section 439 read with Section 482 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No. 772/2023 registered under Sections 420/406/419/467/471/120B/34 at Police Station Bawana, Delhi.
2. Learned counsel for the applicant submits that the applicant is in custody since 28.10.2023 and that the charge-sheet having been filed, no custodial interrogation is required. He further submits that the applicant was only an accountant in the M/s SB Enterprises and even as per the complainant, it was one Pooja and Rakesh who met the complainant on behalf of their uncle Krishan Kumar who was the proprietor of M/s SB Enterprises. Along with the application, the applicant has also placed on record the copy of the appointment letter with regard to his appointment.
3. Mr. Laksh Khanna, learned APP for State has opposed the bail



application. He submits that the applicant's role is of conspiring with the other co-accused in committing the offence. He submits that during investigation, the Aadhar card and pan card in the name of one Harish having photograph of the applicant was also recovered and accordingly charge-sheet has been filed under Section 467/420/471 IPC.

4. I have heard learned counsel for the parties and have gone through the record including the charge-sheet which has been placed on record. The complainant stated to have met one Pooja and Rakesh. During the course of transactions, it has been alleged that only after supply of goods, that the applicant promised payment of money.

5. Considering the totality of the facts and circumstances, it is directed that the applicant be released on regular bail subject to her furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.



6. The bail application is disposed of in the above terms.
7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.
8. Copy of the order be uploaded on the website forthwith.
9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

MAY 3, 2024/rd