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

+ **BAIL APPLN. 1361/2024 and CRL.M.(BAIL) 649/2024**

SUNIL SRIVASTAVAPetitioner

Through: Mr.Kailash Ray and Mr.Shivendra
Singh, Advocates

versus

STATE OF DELHI (NCT OF DELHI)Respondent

Through: Mr.Aashneet Singh, APP for State with
SI Mohit Bamel

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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29.07.2024

1. By way of present bail application, the applicant seeks anticipatory bail in FIR No. 125/2024 registered under Sections 420/34 IPC at P.S. Aman Vihar, Delhi.

2. Learned counsel for the applicant submits that after being granted interim protection, he has joined investigation. He further submits that the applicant has been falsely implicated in the present case and only an amount of approximately Rs.2,76,000/- has allegedly come to his account from the sale of the subject property. It is also stated that to show his bonafides, the applicant volunteers to deposit Rs.5,00,000/- with the Registrar General of this Court. He submits that the applicant has even brought two demand drafts of Rs.2,50,000/- each bearing No.000281 and 577133, totaling Rs.5,00,000/- in the name of Registrar General of this Hon'ble Court. He



further submits that the same would be deposited with the Registrar General of this Court within two working days from today. The undertaking given on behalf of the applicant is accepted and taken on record. He is made bound by the same.

3. Learned APP for the State has opposed the bail application. He submits that the complainant has alleged that a sum of approximately Rs.23,00,000/- was paid by virtue of the Agreement to Sell which was entered into on a forged *bayana* receipt as the owner had denied executing any agreement in favour of the accused. However, on instruction, it is stated that as per the investigation conducted till date, it has been ascertained that a sum of Rs.3,05,571/- has been found to be verified to come to the applicant's account. It is further stated that there have been other endorsements on the Agreement to Sell, acknowledging a further transfer of approximately Rs.4,00,000/- from the complainant to the accused.

4. Keeping in view the aforesaid facts and circumstances and considering that the applicant has volunteered to pay a sum of Rs.5,00,000/-, the interim protection granted to the applicant vide order dated 23.04.2024 is made absolute and it is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount, to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to him continuing to join investigation and depositing the aforesaid volunteered amount of Rs.5,00,000/- with the Registrar General of this Court within two working days and further subject to the following further conditions:-



- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicant shall regularly appear before the trial Court.

5. The application is disposed of in the above terms.

6. 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

JULY 29, 2024

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