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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1963/2023**
GAURAV SHARMA Petitioner

Through: Mr. L. S. Saini and Mr. Sarthak Maan,
Advocates.

versus

STATE NCT OF DELHI Respondent

Through: Mr. Ajay Vikram Singh, APP with
Insp. Sudhir Kumar, PS: Ashok Vihar.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

16.01.2024

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1. An application under Section 439 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 regular bail in FIR No. 169/2017 under Sections 420/468/471/120B IPC registered at P.S. : Ashok Vihar, Delhi.

2. In brief, as per the case of the prosecution, the FIR was registered on complaint of Mr. M. P. S. Raghav, who alleged that he had been duped to the tune of Rs. 15 lacs in the name of opening account under Senior Citizen Saving Scheme for a period of 05 years. To cover up the fraud, petitioner is stated to have handed over a forged and fabricated passbook of the said account with fictitious entry of Rs. 15 lacs and forged signatures & seal of Post Office, Ashok Vihar. A part of amount is also stated to have been credited by the petitioner in his own account.

The matter is stated to have further been settled between the parties wherein the petitioner offered to pay Rs. 17 lacs for full and final settlement



and in view of this settlement, petitioner was granted interim bail. However, an amount of Rs. 6 lacs was paid by the accused and post-dated cheques given to the complainant were also dishonoured.

3. Learned counsel for the petitioner submits that petitioner had been on interim bail during COVID period, but subsequently his application for bail was dismissed by learned Sessions Court vide order dated 03.05.2023. It is further submitted that presence of the petitioner is required for the purpose of looking after his ailing parents, who are also co-accused and are on bail in the aforesaid FIR.

4. On the other hand, the application is vehemently opposed by learned APP for the State along with complainant, who is present in person. It is also pointed out that cost imposed to the petitioner vide order dated 30.10.2023 by this court is still not deposited.

5. Considering the nature of allegations and evidence on record, no grounds for bail are made out.

Application is accordingly dismissed.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 16, 2024/R