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

+ **BAIL APPLN. 1673/2024**

HAIMANT SACHER

.....Petitioner

Through: Mr. Ratnakar Maltiyar, Mr. Hari
Banshi Jha, Mr. Sujit Kumar and Ms.
Akansha Yadav, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for the State
with SI Dilsukh, PS KNK Marg,
Rohini.
Complainant in person.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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26.07.2024

1. The Bail Application under Section 438 of the CrPC has been filed on behalf of the petitioner, for grant of Anticipatory Bail in FIR No. 0546/2022, dated 27.09.2022 under Sections 406/420/120B/34 IPC, registered at Police Station K.N.K. Marg.
2. The case of the prosecution is that the petitioner is a property dealer, who had induced the complainant to enter into an Agreement to Sell and payment of Rs.50,000/- in cash, in respect of the Agreement to Sell.
3. The bail is strongly opposed by the State wherein it is submitted that this is not one transaction but similar transaction had been entered in respect of the same property and a *bayana* of Rs.2,00,000/- was paid, pursuant to



which the property already stands sold. It has further submitted that though the interim protection had been granted to the petitioner till the next date of hearing, but he was failed to co-operate and is not willing to furnish the original of the *bayana* receipt, though the complainant has given the photocopy of the same.

4. Learned counsel on behalf of the petitioner, on the other hand, submits that the original Receipt is not with the petitioner but was with the complainant. The petitioner also undertakes to deposit Rs.50,000/- in the Court, without prejudice to his rights and title.

5. Considering the submissions made and also considering the nature of allegations, it is directed that in the event of his arrest, the petitioner shall be released forthwith by the SHO/Trial Court, with the following conditions:-

- a) The petitioner shall furnish a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Investigating Officer/Arresting Officer.
- b) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case.
- c) The petitioner shall not tamper with evidence or otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.
- c) The petitioner shall join the investigations as and when directed by the IO.
- d) The petitioner shall produce all the requisite information, documents in his power and possession, as and when directed by the Investigating Officer.



- e) The petitioner will intimate about his mobile number and his residential address to the Investigating Officer and in case of change of mobile number or residential address, the same will be intimated to the Investigating Officer.
6. The Petition is disposed of.

NEENA BANSAL KRISHNA, J

JULY 26, 2024/RS