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

+ **BAIL APPLN. 3171/2020**

KUNAL SINGH

..... Petitioner

Through: Mr. Jinendra Jain, Advocate

versus

STATE OF NCT OF DELHI & ANR.

..... Respondents

Through: Mr. Laksh Khanna, APP for State with
SI Parmender Kumar

Mr. Ankit Rana, Advocate for respondent No.2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.03.2024

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1. The present application has been filed under Section 438 Cr.PC. seeking anticipatory bail in FIR No.627/2019 registered under Sections 420/34 IPC at P.S. Rani Bagh.

2. Learned counsel for the petitioner/applicant submits that on the very first day, to show their bonafide, the applicant alongwith the other accused persons volunteered to deposit an amount of Rs.1 crore. The said amount already stands deposited with the Registrar General of this Court by *Yogesh Singh*, who is alleged to have received the amount from the complainant/victims. He further submits that as per the case of the prosecution, *Yogesh Singh* alongwith the *Narender Singh* was the shareholder of *M/s Kayden Infra Engineering Pvt. Ltd.* whereas the other two shareholders were *M/s Ashali Infrastructure Ltd.* and *Amarjeet Singh*.



He further submits that the other accused persons namely *Devki Nandan*, *Kunal Singh*/applicant and *Krishan Kumar* are alleged to have introduced complainant/victims with *Yogesh Singh* and *Narender Singh*. He submits that the dispute relates to allotment of shares of *M/s Kayden Infra Engineering Pvt. Ltd.* He further submits that the accused persons have transferred the requisite shares to the complainant/victims, who are related to each other and in this regard, he has referred to the Income Tax Return for the financial year 2017-18.

3. Learned APP for the State duly assisted by learned counsel for the complainant, on the other hand, submits that though the shares were transferred, but the same have still not been issued in the name of the complainant/victims inasmuch they had to be transferred either physically or in a demat form, which has not been done.

4. At this stage, learned counsel for the applicant submits that to show the bonafide of the accused persons, *Yogesh Singh* who had received the sum of Rs.1.50 crore is ready and willing to make a further deposit of Rs.50 lacs without prejudice to his rights and contentions with the Registrar General of this Court. He further submits that the accused persons are still ready and willing to take the requisite steps for the issuance of the shares in the name of the complainant/victims.

5. Keeping in view the aforesaid facts and circumstances including the fact that the bail application has been pending since the year 2020 and that the accused persons have already deposited a sum of Rs.1 crore and that *Yogesh Singh* further volunteer to deposit another sum of Rs.50 lac as also the fact that the applicant has joined the investigation and that the entire case is documentary in nature, the interim protection granted to the applicant vide



order dated 19.10.2020 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 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 address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
 - (v) The applicant shall not tamper with the evidence.
 - (vi) The applicant shall regularly appear before the trial Court.
6. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

MARCH 28, 2024

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