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

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+ BAIL APPLN. 4037/2021

ASHISH GUPTA

..... Petitioner

Through: Mr. Ashish Kapur and Mr. Anmol Kapur, Advocates

versus

STATE

..... Respondent

Through: Ms. Richa Dhawan, APP for State with SI Amit, P.S. Laxmi Nagar.

Mr. Sudhir Kumar Sharma and Mr. Ramesh, Advocates for Complainant.

Mr. Abhishek Srivastava and Mr. Avinash Kumar, Advocates for Cholamandalam Investment and Finance Company Limited along with Mr. Naman, Authorized Representative.

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+ BAIL APPLN. 4038/2021

POONAM GUPTA

..... Petitioner

Through: Mr. Ashish Kapur and Mr. Anmol Kapur, Advocates

versus

STATE

..... Respondent

Through: Ms. Richa Dhawan, APP for State with SI Amit, P.S. Laxmi Nagar.

Mr. Sudhir Kumar Sharma and Mr. Ramesh, Advocates for Complainant.

Mr. Abhishek Srivastava and Mr. Avinash Kumar, Advocates for Cholamandalam Investment and Finance Company Limited along with Mr. Naman, Authorized Representative.



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BAIL APPLN. 4041/2021

PREM SAGAR GUPTA

..... Petitioner

Through: Mr. Ashish Kapur and Mr. Anmol Kapur, Advocates

versus

STATE

..... Respondent

Through: Ms. Richa Dhawan, APP for State with SI Amit, P.S. Laxmi Nagar.

Mr. Sudhir Kumar Sharma and Mr. Ramesh, Advocates for Complainant.

Mr. Abhishek Srivastava and Mr. Avinash Kumar, Advocates for Cholamandalam Investment and Finance Company Limited along with Mr. Naman, Authorized Representative.

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BAIL APPLN. 4052/2021

HEMANT GUPTA

..... Petitioner

Through: Mr. Ashish Kapur and Mr. Anmol Kapur, Advocates

versus

STATE

..... Respondent

Through: Ms. Richa Dhawan, APP for State with SI Amit, P.S. Laxmi Nagar.

Mr. Sudhir Kumar Sharma and Mr. Ramesh, Advocates for Complainant.

Mr. Abhishek Srivastava and Mr. Avinash Kumar, Advocates for Cholamandalam Investment and Finance Company Limited along with Mr. Naman, Authorized Representative.



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+ BAIL APPLN. 4055/2021

ALOK GUPTA

..... Petitioner

Through: Mr. Ashish Kapur and Mr. Anmol Kapur, Advocates

versus

STATE & ANR.

..... Respondents

Through: Ms. Richa Dhawan, APP for State with SI Amit, P.S. Laxmi Nagar.

Mr. Sudhir Kumar Sharma and Mr. Ramesh, Advocates for Complainant.

Mr. Abhishek Srivastava and Mr. Avinash Kumar, Advocates for Cholamandalam Investment and Finance Company Limited along with Mr. Naman, Authorized Representative.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

30.01.2024

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1. These bail applications have been filed by the Applicants under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for anticipatory bail in case FIR No.428/2019 dated 12.12.2019 registered under Sections 406/420/120B IPC at P.S. Laxmi Nagar. On account of commonality of facts and issues involved, all five petitions have been taken up together and are being disposed of by this common order.

2. These applications were taken up for consideration on 23.11.2021 by this Court when the Applicants had submitted that in terms of one-time settlement with *Cholamandalam Investment and Finance Company Limited* ('Cholamandalam') dated 27.10.2021, out of an amount of Rs.43 lacs,



Rs.17 lacs had already been paid besides the cheque of Rs.3 lacs and the remaining balance was to be given on or before 28.11.2021. It was further submitted that Applicants have filed their affidavits of undertaking in this regard and they shall honour the undertaking given to the Court. Keeping in view the settlement and the undertaking given on affidavits, the Court granted interim protection to the Applicants and directed that no coercive action shall be taken, till the next date of hearing. Interim protection has continued till date.

3. It is jointly stated by learned counsel for the Applicants and counsel for Cholamandalam that in terms of one-time settlement, outstanding amount has been paid by the Applicants to Cholamandalam in full and final settlement of all their claims and in turn, Cholamandalam has returned the original property papers as well as given a No Objection Certificate to the Applicants. This fact is also confirmed by the Authorized Representative of Cholamandalam, who is present in Court. In the face of this settlement and payment of the outstanding dues, counsel for the Cholamandalam, on instructions, states that there is no objection to the interim protection granted to the Applicants being confirmed.

4. Accordingly, in view of the settlement between the parties, as aforementioned, it is directed that in the event of arrest of the Applicants, they shall be released on bail on furnishing personal bonds in the sum of Rs.25,000/- each with one surety each of the like amount to the satisfaction of the Trial Court and further subject to the following conditions:-

- (i) Applicants shall not leave the country without permission of the Trial Court and will continue to reside at the residential addresses given before the Trial Court record. Any change in residential



addresses shall be with advance intimation to the Trial Court and the IO;

- (ii) They shall join investigation as and when directed by the IO concerned and will provide their mobile numbers to the IO, which shall be kept in working conditions at all times;
- (iii) They shall appear before the Trial Court, as and when the matter is taken up for hearing; and
- (iv) They shall report to the IO once every month until further orders to the contrary.

5. At this stage, learned counsels for the Complainant and Chola mandalam state, on instructions, that since the matter has been amicably settled, they do not wish to prosecute the complaints and in case the Applicants file petitions for quashing of the FIR in question, they will render full co-operation and support the quashing.

6. Bail Applications stand disposed of in the aforesaid terms.

7. Copy of the order will be sent to the concerned SHO/IO for information and necessary compliance.

JYOTI SINGH, J

JANUARY 30, 2024/kks/shivam