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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 3287/2023**  
**SUNIL PICHHOLIYA** ..... Petitioner  
Through: Mr. Vibhu Anshuman, Mr. Santosh R. Duby and Mr. Prateek Kumar, Advs.

versus  
**STATE OF NCT OF DELHI** ..... Respondent  
Through: Mr. Ritesh Kumar Bahri, APP for State with Insp. Pawan Yadav, PS. S.B. Dairy.  
Mr. Manish Gupta and Mr. Abhimanyu Singh, Advs. for complainant.

+ **BAIL APPLN. 3290/2023**  
**GAURAV PICHHOLIYA** ..... Petitioner  
Through: Mr. Vibhu Anshuman, Mr. Santosh R. Duby and Mr. Prateek Kumar, Advs.

versus  
**STATE OF NCT OF DELHI** ..... Respondent  
Through: Mr. Ritesh Kumar Bahri, APP for State with Insp. Pawan Yadav, PS. S.B. Dairy.  
Mr. Manish Gupta and Mr. Abhimanyu Singh, Advs. for complainant.

**CORAM:**  
**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**07.03.2024**

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1. The present petitions have been filed under Section 438 Cr.P.C. seeking anticipatory bail in connection with FIR No. 561/2023 under Sections 406/420/34 IPC registered at Police Station Shahbad Dairy, Outer North, New Delhi.
2. The brief facts of the case are that the petitioners started business of



trading of metals under the proprietorship concerned “Navkar Metals” and they have been regularly contracting with the complainant firm namely “Baisakhi Ram Girdhari Lal Pvt. Ltd.” The allegations have been made in the FIR that the petitioners have cheated the complainant in respect of invoice bearing no.198 dated 21.06.2022.

3. The learned counsel for the petitioner submits that the value of the supply made by the complainant under invoice no. 198 dated 21.06.2022 is for an amount of Rs. 1,66,37,213/-. However, the petitioners have already made a payment to the tune of Rs. 1.60 crores.

4. Notice was issued in the present petitions on 27.09.2023 and it was directed that no coercive action be taken against them subject to one of the petitioner namely, Sunil Pichholiya joining investigation on 03.10.2023 at 04:00 P.M.

5. The learned counsel submits that the petitioner/Sunil Pichholiya joined investigation on the said date. Subsequently, the I.O asked another petitioner namely, Gaurav Pichholiya, also to join the investigation and *vide* order dated 05.12.2023 direction was also given by this Court to Gaurav Pichholiya to join investigation on 05.01.2024 at 03:00 P.M

6. He further submits that the petitioners have joined the investigation whenever they were called upon by the I.O concerned. According to the learned counsel, the petitioners have joined the investigation on as many as five occasions. This position is also not disputed by the learned APP, on instructions from the I.O, who is present in Court.

7. The learned APP submits that the petitioners have given the names of three other accused persons and their cooperation will be required for the purpose of identification and search of the premises of other co-accused



persons, though petitioners are not required any further for the purpose of investigation.

8. In view of the above, it is directed that in the event of petitioners being arrested, they be released on bail subject to their furnishing personal bond in the sum of Rs. 25,000/- each and a surety bond of the like amount to the satisfaction of the Investigating Officer / Arresting Officer further subject to the condition that they will join investigation and extend cooperation as and when directed by the IO concerned.

9. The petitions stand disposed of.

10. Order *dasti* under signatures of the Court Master.

11. Order be uploaded on the website of this Court.

**VIKAS MAHAJAN, J**

**MARCH 7, 2024/dss**