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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5214/2019, CRL.M.A. 38054/2019 & CRL.M.A. 19870/2021**
M/S DJB INFRASTRUCTURES AND DEVELOPERS
INDIA PVT. LTD.Petitioner
Through: **Ms. Sunanda Tulsyan & Mr. Akhil, Advs.**
versus
THE STATE (GOVT. OF NCT OF DELHI) & ORSRespondents
Through: **Mr. Amil Sinha, ASC for the State**
CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

% **ORDER**
14.11.2024

1. The petitioner challenges the order dated 01.10.2019 (hereafter '**the impugned order**') pursuant to which Respondent No. 3 was admitted on bail.
2. The learned counsel for the petitioner submits that the impugned order has been passed without assigning any reason. She submits that the impugned order is passed in a mechanical manner only noting that the need to detain the applicant in custody is not further warranted.
3. She further submits that the accused was admitted on bail on an earlier occasion on the ground of settlement. She submits that the accused, pursuant to the settlement dated 07.07.2018, had agreed to pay a sum of ₹6.50 crores along with interest @9% per annum from 05.03.2018 till the full amount is repaid/ refunded, however, not a single penny was paid.
4. She submits that the bail granted to the accused on earlier occasion was cancelled in view of the non-payment of the



settlement amount but he was admitted on bail by the impugned order in a mechanical manner.

5. Much water has flown since the filing of the present petition. The impugned order was passed way back on 01.10.2019. On being asked, it is informed that the applicant prior to being finally released on bail, had spent around fifty days in custody. The learned Trial Court noted that the chargesheet has already been filed in the present case.

6. It is informed that the matter is still pending consideration before the learned Trial Court and the accused, on the last date of hearing, had not appeared since he was lodged in Alibag Jail, Maharashtra in some other case which led to issuance of production warrants by the learned Trial Court.

7. The FIR was registered way back on 08.06.2018 and the impugned order was also passed way back on 01.10.2019. Concededly, the accused had spent a considerable period of time before being enlarged on bail. The charge sheet had also been filed in the present case.

8. In view of the above, this Court does not consider it apposite to entertain the present petition at this stage.

9. The State is at liberty to file appropriate application seeking cancellation of bail in case the applicant does not appear before the learned Trial Court or does not cooperate in the proceedings in the present FIR.

10. The petition is dismissed with the aforesaid observations.

AMIT MAHAJAN, J

NOVEMBER 14, 2024

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