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

+ **BAIL APPLN. 3843/2023**

RAMU KUSHWAHA

..... Petitioner

Through: Ms Neha Singh, Mr Rahul Mr Nikesh
Kumar Chaturvedi, Mr Sukhendra
and Mr Saurabh Singh, Advocates.

versus

THE STATE

..... Respondent

Through: Mr Hemant Mehla, APP for the State
with Mr Dipanshu Meena, Advocate
with SI Neeraj Yadav, IFSO, Special
Cell.
Mr Prakash Chand Sharma, Advocate
for complainant.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
22.01.2024

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CRL.M.A. 2022/2024

1. This is an application seeking early hearing.
2. Learned counsel for the petitioner submits that the petitioner has arrived at a settlement with the complainant.
3. The complainant, who is present in the Court affirms the said fact.
4. For the reasons mentioned in the application, as well as, regard being had to the submissions of the learned counsel for the petitioner, the early hearing is allowed.
5. The application is disposed of.



CRL.M.A. 2023/2024

6. Allowed, subject to all just exceptions.

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7. With the consent of the parties, the bail application is taken up today for hearing.

8. The brief facts of the case as per the prosecution version is that the complainant was duped of Rs.56 lakhs. The complaint made by the complainant culminated into the aforesaid FIR.

9. Learned counsel for the petitioner submits that during the pendency of the proceedings, the present petitioner/accused has entered into a settlement with the complainant, terms of which were reduced in writing in the form of Memorandum of Understanding-cum-Mutual Agreement dated 17.01.2024, a copy of which is annexed as Annexure-C to the application being CrI.M.A.2022/2024.

10. As per the terms of settlement, it has been mutually agreed between the petitioner and the complainant that the petitioner shall pay a total sum of Rs.5 lakhs to the complainant. Out of the said agreed amount, a sum of Rs.2,50,000/- has been paid today through demand draft and the remaining amount has been agreed to be paid by way of PDC for an amount of Rs.2,50,000/-.

11. The complainant, who is present in the Court, acknowledges having received part settlement amount of Rs.2,50,000/-. He submits that he has no objection in case the petitioner is enlarged on bail

12. In view of the above, the petitioner is admitted to bail subject to his furnishing a Personal Bond in the sum of Rs.25,000/- and one Surety Bond of the like amount to the satisfaction of the learned Trial Court/CMM/Duty



Magistrate, further subject to the following conditions:-

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
 - b) Petitioner shall provide his permanent address, as well as, his mobile number to the IO concerned. The mobile number shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
 - c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the complainant.
13. The petition stands disposed of.
 14. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.
 15. Order *dasti* under signatures of the Court Master.
 16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

JANUARY 22, 2024

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