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

+ **BAIL APPLN. 3984/2023**

VED PRAKASH

..... Petitioner

Through: **Mr. Rajendra Prasad and Mr. Shanu
Pastore, Advocates.**

versus

THE STATE

..... Respondent

Through: **Mr. Laksh Khanna, APP for State
with SI Neeraj PS Preet Vihar, Delhi.
Mr. Deepak Vohra, Advocate for
complainant**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

18.01.2024

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1. By way of present bail application filed under Section 439, petitioner/applicant seeks regular bail in FIR No.407/2022 registered under Sections 448/419/420/467/468/471/120B/201 IPC at Police Station Preet Vihar, Delhi.

2. Learned counsel for the applicant states that the applicant has been in custody since 14.03.2023. He submits that as per the prosecution case, the present applicant along with *Mr. Anand Kumar* had executed a false/forged Memorandum of Settlement with respect to Shop Nos. 29 and 30, Ground Floor, CSS, Block-C, Nirman Vihar, Delhi. It is further stated that co-accused has already been granted anticipatory bail. He further states that a similar FIR with regard to Shop Nos. 31 and 32 at the same location was registered bearing No.48/2020 under Sections 420/468/471/120B/34 IPC at P.S. Preet Vihar, in which the present applicant has been granted



anticipatory bail.

3. The bail application is vehemently opposed by the learned APP for the State and learned counsel for the complainant. The learned APP states that on the basis of a forged authority in favour of *Mr. Anand Kumar*, a Memorandum of Settlement was prepared thereby authorizing the applicant to enter into further agreements. He submits that charge-sheet has been filed. He further submits that the applicant is also involved in another case being FIR No.252/2021 registered under Sections 420/406/468/471 IPC at P.S. Preet Vihar, Delhi, wherein Section 82 Cr.P.C proceedings were initiated. In FIR 48/2020, the complainant has preferred an application seeking cancellation of anticipatory bail on the ground that the applicant has failed to deposit the passport as per the bail conditions.

4. At this stage, learned counsel for the petitioner states that insofar as FIR No.252/2021 is concerned, the proceedings under Section 82 Cr.P.C were dropped as the parties had reached a settlement. He, on instructions, also states that the applicant is ready and willing to deposit his passport with the I.O. Let the same be done.

5. As per the Status Report, the applicant was the erstwhile director in the complainant company till the year 2017. The alleged Memorandum of Settlement was entered into on the basis of authorization in favour of *Mr. Anand Kumar*. The applicant has already been granted anticipatory bail in FIR No.48/2020

6. Considering the facts and circumstances of the case as well as the period of incarceration, it is directed that the applicant be released on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail



Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

7. The bail application is disposed of in the above terms.

8. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

9. Copy of the order be uploaded on the website forthwith.

10. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial as the observations are only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

JANUARY 18, 2024/rd