



\$~18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4168/2023**

MUKESH NAGAR

..... Petitioner

Through: Mr. Amit Chadha, Advocate.

versus

STATE

..... Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

12.02.2024

1. The present application has been filed under Section 438 read with Section 482 Cr.P.C. by the applicant seeking anticipatory bail in FIR No. 314/2023 registered under Sections 419/382/120B/34 IPC at P.S. I.P. Estate, Delhi.
2. Mr. Chadha, learned counsel for the applicant submits that the applicant has been falsely implicated in the present matter. Even as per the allegations levelled against him, the applicant was an ex-employee of the complainant's company. He submits that a notice under Section 41A Cr.P.C. was issued to the applicant, on which he had joined investigation. It is further submitted that even as per the allegations, the applicant is not stated to be present at the spot.
3. Mr. Khanna, learned APP for the State, on instructions, states that applicant has joined the investigation. He submits that the role assigned to the applicant is of receiving an information from one *Inderpal*, the driver of the complainant's company and passing it off to other co-accused persons



whereafter the offence was committed.

4. Considering that the applicant has already joined the investigation and is not alleged to be present at the spot, the interim protection granted to the applicant vide order dated 05.01.2024 is made absolute and it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when, he is asked for.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.

5. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

FEBRUARY 12, 2024/ga