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

+ **BAIL APPLN. 2945/2024**

RAHISUDDIN MALIKPetitioner

Through: **Mr. Abhay Kumar, Adv.**

versus

STATE NCT OF DELHIRespondent

Through: **Mr. Hemat Mehla, APP for State with
SI Naveen and ASI Shyam, PS: NFC.**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **01.10.2024**

1. This bail petition has been filed seeking bail in FIR no. 397/2022 under Sections 420/406 registered at PS New Friends Colony. The petitioner was arrested on 19th December, 2023. The charge sheet has already been filed.
2. As per the status report, the FIR was registered on the complaint of Nazim on his statement that petitioner had offered to send him abroad to the Saudi Arabia for a job and had asked for Rs. 1,30,000/- He paid a total of Rs. 35,000/- to the petitioner. However, despite assurances, he was neither sent abroad nor his money was returned.
3. On this basis, the case was registered. As per the status report, a further complaint also came to light. Petitioner had apparently received Rs. 2,05,000/- and Rs. 1,09,999/- through cash and phone pay from other victims. As per the previous direction, the status report has been filed with relation to



the other previous offences involvement.

4. Counsel for petitioner states that he has been acquitted in three other matters and convicted in one matter for Rs. 5,000/-.

5. Moreover, the petitioner, states on instructions of the wife of the petitioner who is present in Court, that they undertake to return the monies to the respective complainants and seek some time to do the same.

For this purpose, counsel for petitioner makes an oral prayer for an interim bail in order to comply with this undertaking. In the interest of justice, the interim bail is therefore being granted in order that the undertaking of the petitioner can be complied with.

6. In light of the above, this Court is inclined to grant interim bail to the petitioner for a period of 8 weeks from the date of release on furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount subject to the satisfaction of the Trial Court, further subject to the following conditions:

- i. Any compliance of the undertaking will be reported to the I.O. as well as the affidavit in this regard shall be placed on record of the Court
- ii. Petitioner will not leave the country without prior permission of the Court.
- iii. Petitioner shall be resident at the address mentioned in the Nominal Roll and will not travel outside the NCR.
- ii. Petitioner shall intimate the Court by way of an affidavit and to the IO regarding any change in residential address.
- iii. Petitioner shall appear before the Court as and when the matter is taken up for hearing.



- iv. Petitioner shall join investigation as and when called by the IO concerned.
- v. Petitioner shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the IO concerned.
- Vi Petitioner will mark presence physically before the concerned I.O. on first and third Monday at 04:00 P.M. in a month.
- vii. Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the prosecution witnesses, the victim/complainant or any member of the victim/complainant's family or tamper with the evidence of the case.

Copy of the order be sent to the Jail Superintendent for information and necessary compliance.

7. 'Dasti'

8. Accordingly, the application is disposed of.

ANISH DAYAL, J

OCTOBER 1, 2024/RK