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

+ **BAIL APPLN. 3946/2024 & CRL. MA 32607/2024**

RAMESH CHAND JAIN

.....Petitioner

Through: **Mr. Prashant Sharma, Mr. Lalit Kumar, Advocates.**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Mr. Laksh Khanna, APP for State with SI Avaneesh Kumar PS Krishna Nagar, Delhi.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

28.10.2024

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1. By way of present application, the petitioner/applicant seeks anticipatory bail in FIR No.469/2024 registered under Sections 420/468/471/120B/34 IPC at PS Krishna Nagar, Delhi.
2. Learned counsel for the petitioner/applicant submits that the co-accused has already been released on bail and as per the case of the complainant, he had paid a sum of Rs.6,50,000/- towards earnest money. He further submits that without prejudice to his rights and contentions, the applicant is ready and willing to pay the aforesaid amount. He submits that the applicant has in fact brought a demand draft for the sum of Rs.6,50,000/- bearing number 169191 dated 17.09.2024 drawn on State Bank of India, Vishwas Nagar Branch, Delhi, a copy whereof has been placed on record.
3. Learned APP for the State, on instructions, submits that the complainant has alleged that he paid earnest money of Rs.6,50,000/-, however, the subject property was not free from mortgage.



4. Keeping in view the aforesaid facts and circumstances and considering the fact that the applicant has brought a demand draft and has stated that he has no objection if the same is passed on to the complainant, as well as considering the fact that the co-accused has already been released on bail, it is directed that in the event of arrest, the applicant be released on bail subject to his 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 asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential addresses/contact details, 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.

5. The aforesaid demand draft of Rs.6,50,000/- has been handed over to the I.O. by the applicant today. The I.O. shall handover the said DD to the complainant within three days from today.

6. The bail application is disposed of in the above terms along with



pending application.

7. 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 of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

OCTOBER 28, 2024/*rd*