
(2019) 08 DEL CK 0017

In the Delhi High Court

Case No : Bail Application No. 2328 Of 2017

Vinod Chauhan

APPELLANT

Vs

State Govt Of Nct Of Delhi

RESPONDENT

Date of Decision : 02-08-2019

Acts Referred:

Indian Penal Code, 1860 — Section 34, 420, 506

Citation : (2019) 08 DEL CK 0017

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Ashok Kumar Sherawat, Hirein Sharma

Final Decision : Allowed

Judgement

Sanjeev Sachdeva, J

1. Petitioner seeks anticipatory bail in FIR No. 237/2016 under Section 420/506/34 IPC at Police Station Saket.

2. As per the allegations in the FIR, the complainant was interested in purchase of a property and respondent sold the property to him for a sum of Rs. 20,50,000/-. Subsequently, it transpired that the construction was illegal and the property was sealed by the MCD and further that the petitioner has no right to sell the property.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. He submits that the dealings were done by one R.K. Pandey and not by the petitioner and said R.K. Pandey has actually used the account of the petitioner and subsequently the amount was withdrawn by him. Learned counsel further submits that there are no representations/misrepresentations on the part of the petitioner.

4. By order dated 15.01.2018, the petitioner was directed to join the investigation and interim protection was granted to him.

5. Learned Addl. PP submits that the investigation is complete and the chargesheet has already been filed without arrest and there is no further requirement of the petitioner to join the investigation.

6. Without commenting on the merits of the case and keeping in view of the totality of the facts and circumstances, I am satisfied that the petitioner has made out a case for grant of anticipatory bail.

7. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail, on petitioner furnishing a bail bond in the sum of Rs. 20,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned. It is clarified that this order shall not be construed as an opinion on the merits of the case.

8. Petition is allowed in the above terms.

9. Order Dasti under signatures of the Court Master.