

# Vinod Bansal vs State Of Nct Of Delhi on 16 March, 2023

**Author: Dinesh Kumar Sharma**

**Bench: Dinesh Kumar Sharma**

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IN THE HIGH COURT OF DELHI AT NEW DELHI  
BAIL APPLN. 853/2023  
VINOD BANSAL

Through: Mr.Siddharth Yadav, Sr.  
Mr.Anuj Chauhan, Ms.Rit  
Mr.Anand, Mr.Narender L  
Mr.Wasim Ashraf, Advoca

versus

STATE OF NCT OF DELHI

Through: Mr.Sanjeev Bhandari, AS  
with Mr.Kunal Mittal an  
Tanwar, Advocates for t  
Mr.Karan Prakash, Adv.  
R-2 in person.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA  
ORDER

% 16.03.2023 CRL.M.(BAIL) 373/2023 (for exemption) Exemption allowed subject to just exceptions. The application stands disposed of.

The present application has been filed for the grant of anticipatory bail in case FIR no.60/2022 registered under Section 420/406/120B IPC at PS EOW. Learned senior counsel for the petitioner submits that the complaint has been lodged by the complainant after a long delay of around eight years from the date of the alleged commission of the offence. Furthermore, the said complaint was closed on the ground that the factual matrix of the complaint was civil in nature. However, the learned counsel for the petitioner submits that later on, the complainant moved an application Section 156 (3) Cr.P.C. and the court of learned CMM, South- East vide order dated 01.04.2022 directed the SHO, PS EWO to register an FIR under Section 420/406/120B IPC against the petitioner.

Learned senior counsel submits that learned ASJ, South East, Saket Courts, New Delhi dismissed the anticipatory bail application of the petitioner vide order dated 14.03.2023 mechanically and without going into the facts. Learned Senior counsel further submits that this is a case of civil transaction and the complainant has given this civil dispute a criminal colour.

Learned additional standing counsel for the State has opposed the anticipatory bail application. Learned counsel submits that in the reply to the bail application filed by the IO before learned Sessions Court, it was specifically averred that including the present case, there are 11 cases against

the petitioner and apart from this, the applicant is also involved in some other CBI cases like CBI 65/2020, CBI208/2019 and CBI 119/2019.

Let the State and the complainant file a detailed reply. List on 16.08.2023.

This is an application filed seeking the grant of interim anticipatory bail in case FIR no.60/2022 registered under Section 420/406/120B IPC at PS EOW.

Learned Counsel for the petitioner submits that the petitioner has already joined the investigation and is ready to further corporate in it. It has been stated that the custodial interrogation of the petitioner is not required as the case is mainly based on documentary evidence which has already been provided by the petitioner to the Investigating office.

Learned counsel has opposed the present application. It has been submitted that the applicant is involved in multiple cases and therefore is not entitled to any interim relief. It has also been submitted in the reply to the notice under Section 91 Cr.P.C., the petitioner has submitted documents which are forged and fabricated and the same is reflected in para ix of the reply filed by the IO before the learned Sessions Court.

I have heard the submissions made by both the parties. It is pertinent to note that other FIRs and the FIR in which allegedly the petitioner filed the wrong documents do not pertain to the present case. Taking into account the above facts and circumstances, the applicant is directed to join the investigation as when called by the Investigating Officer and if Investigating Officer feels the necessity the arrest the applicant, a notice of 15 days be given to him.

With the above directions, the interim anticipatory bail application is disposed of.

DINESH KUMAR SHARMA, J MARCH 16, 2023 rb ..