

## Preeti vs Govt Of Nct Of Delhi on 27 September, 2021

**Author: Mukta Gupta**

**Bench: Mukta Gupta**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ BAIL APPLN. 3014/2021  
PREETI

..... Petitioner  
Represented by: Mr. Pawan K Bahl and Mr. Rohit  
Kumar, Advocates.

Versus

GOVT OF NCT OF DELHI  
Represented by: Mr. G.M. Farooqui, APP for the State  
with SI Suresh Chand, PS Okhla  
Industrial Area.  
..... Respondent

CORAM:  
HON'BLE MS. JUSTICE MUKTA GUPTA  
ORDER

% 27.09.2021 The hearing has been conducted through Video Conferencing.

1. By this petition, the petitioner seeks regular bail in case FIR No.357/2018 under Sections 420/408/467/468/471/120B/174A IPC registered at PS - Okhla Industrial Area.
2. Learned counsel for the petitioner contends that petitioner is the wife of one Jaswant Singh, who was employed at M/s. Kalika Marketing.
3. However, from the statements of other employees of M/s. Kalika Enterprises, it is evident that while cheques were prepared, the same were also entered in a register, which was also counter signed by the complainant at the time of issuance of a cheque.
4. Learned counsel for the petitioner states that FSL report has also been received and the cheques in question have not been found to be in the hand BAIL APPLN.3014/2021 Page 1 of Signed writing of the petitioner's husband. Learned counsel further states that in fact the complainant company indulged in getting the money transferred in the name of salaries and receipt of the same in various accounts including that of the petitioner and the same had to be returned in cash to the company, so as to avoid the tax liability and now, a case has been foisted on the petitioner and her husband.
5. Learned APP for the State submits that the petitioner along with her husband committed forgery of the cheques resulting in transfer of amounts into the accounts of the petitioner. The salary of the husband of the petitioner was only 17,000/-, however a sum of 31,02,282/- was deposited in her account though she was not working in the company. Further, the petitioner at the time of anticipatory bail offered to deposit 10 lakhs, however, she failed to do so. The petitioner has

already been declared as 'proclaimed offender', whereafter, she was arrested.

6. The abovenoted FIR was registered on the complaint of one Ashok Chawla, the proprietor of M/s Kalika Marketing, who alleged forgery and cheating against Jaswant Singh. It is alleged that since June 2013, Jaswant Singh, who was employed at a monthly salary of 17,000/-, which salary rose to 26,000/- per month used to prepare cheques as per the instructions of the concerned officers and cheque books and cheques issuing register were always in his custody and he, by forging the signatures and otherwise, siphoned off the amounts through the account of his wife i.e. the petitioner herein. It is alleged that a total sum of 31,02,282/- was transferred to the account of the petitioner.

7. As noted above, in the complaint, the complainant alleged that the petitioner's husband, namely, Jaswant Singh was employed as an accountant BAIL APPLN.3014/2021 Page 2 of Signed and he used to prepare the cheques, as per the instructions and the cheque issuing registers used to be in his custody. On 17th August, 2018, at about 10 AM, complainant received a call from the Relationship Manager, Citi Bank, due to suspicion over the signatures purported to be in the hand writing of the complainant in a cheque bearing No.802878 issued from the complainant's account in the name of M/s Kalika Marketing for a sum of 86,850/- favouring Ms.Preeti. When the same was checked, it was found that the said cheque had actually been issued in favour of M/s. Adarsh Journal Private Limited for a sum of 750/-. The Relationship Manager was contacted to return the cheque and payment was stopped. Petitioner, who was on official work at that time, did not report thereafter. The complainant thus verified the previous records and it was found that since 12th June 2013, Jaswant Singh was siphoning off the funds of the company and had siphoned off a total amount of 31,02,282/- to the account of his wife i.e. the petitioner or in his name by forging the signatures of the complainant and his son.

8. Further, the details mentioned in the cheques issuing register and the books were completely different. Details have been placed on record as to the cheques and the amount pursuant thereto transferred to the account of the petitioner.

9. The anticipatory bail application filed by the petitioner was dismissed on 13th December, 2018. Thereafter, she was declared a 'proclaimed offender' and she surrendered on 23rd March, 2021. The petitioner is in custody since then and charge-sheet qua the petitioner has also been filed before the trial Court.

10. Considering that the main allegations are against the petitioner's BAIL APPLN.3014/2021 Page 3 of Signed husband, who has already been granted bail by this Court and that the trial is likely to take some time, this Court deems it fit to grant regular bail to the petitioner.

11. It is, therefore, directed that the petitioner be released on bail on her furnishing a personal bond in the sum of 25,000/- with two surety bonds of the like amount subject to the satisfaction of the learned Trial Court; further subject to the condition that the petitioner will not leave the country without prior permission of the Court concerned and in case of change of the residential address and/ or the mobile number, the same will be intimated to the Court concerned by way of an

affidavit.

12. Petition is disposed of.

13. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

SEPTEMBER 27, 2021  
PB

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