

Bail Application no.756/23
FIR no.87/21: PS Special Cell
Under Section: 419/420/120 B IPC
State Vs. Mayank Bhardwaj

28.04.2023

Present: Sh.Mukul Kumar, Ld. Addl. PP for the State.
Sh. Vikas Dudeja and Sh. Salim Babu, Ld.counsel for the
applicant/accused Mayank Bhardwaj.
IO/Inspector Avdesh Kumar in person.

This is the bail application under Section 439 Cr. PC moved
on behalf of applicant/accused Mayank Bhardwaj.

Reply to the bail application by investigating officer filed.

Arguments heard. Record perused.

It is submitted by Ld.counsel for the applicant/accused that
after about 48 days custody, the applicant/accused was released on interim
bail in terms of HPC guidelines vide order dated 11.05.2021. That the
applicant has already surrendered in terms of directions of Hon'ble
Supreme Court and he is in custody since 08.04.2023. That the
investigation in the present case is already complete and charge sheet has
already been filed. That the co-accused Arti Sharma has already been
enlarged on bail and the custodial interrogation of the applicant/accused is
not required. That the applicant is aged about 31 years having
responsibility of two small kids and there is no other family member to
look after the applicant/accused. That no useful purpose is going to be
served by keeping the applicant/accused in JC. It is prayed that the
applicant/accused may kindly be enlarged on bail.

During the course of arguments it is submitted by Ld.counsel
for the applicant/accused that the accused persons are alleged to have

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received a sum of Rs.1,70,000/- in the bank account of Altistar Trading Company from the complainant and a sum of Rs.1,00,000/- have already been deposited by co-accused Arti and the applicant/accused without prejudice to his rights and contention, to show his bonafide, ready and willing to deposit remaining sum of Rs.70,000/-.

On the other hand bail application is strongly opposed by Ld. Addl. PP for the state.

In the instant case the applicant/accused alongwith other accused persons is alleged to have cheated the complainant to the tune of Rs.5.28 lacs impersonating themselves as Exide Insurance Employees and induced the complainant on the pretext of investment in their company Altiosstar Trading India Ltd.

The applicant/accused is alleged to have opened the bank account in the name of his sister and handed over the same to co-accused Vikas Sharma. The applicant/accused is alleged to be arrested on the disclosure of accused Arti Sharma and CA Nitin Bansal. It is reported by the investigating officer that a sum of Rs.1,70,000/- were received in the bank account of alleged Altistar Trading Company from the complainant. Out of the said amount a sum of Rs.1,00,000/- is already stated to have been deposited by co-accused and the applicant/accused without prejudice to his rights and contention is ready and willing to deposit remaining sum of Rs.70,000/-. After completion of investigation charge sheet has already been filed and the applicant/accused is not required for custodial

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interrogation. Co accused Arti Sharma on the disclosure of whose, the applicant/accused was arrested has already been granted bail. The applicant/accused is not reported to have misused the liberty of interim bail, granted in terms of HPC guidelines and timely surrendered before the jail authorities.

Considering the aforesaid facts and circumstances of the case, I am of the considered opinion that no useful purpose is going to be served by keeping the applicant/accused further in JC. **The applicant/accused Mayank Bhardwaj is admitted to bail on furnishing bail bond in the sum of Rs.30,000/- with one surety in the like amount to the satisfaction of Ld. CMM/Ld.MM/Ld.Duty MM/Link MM concerned and subject to the following conditions:**

(a) The applicant/accused shall deposit a demand draft in the sum of Rs.70,000/- in the name of Ld. Trial Court, alongwith the bail bonds.

(b) The applicant/accused shall furnish to the Investigating Officer/ S.H.O., a cell phone number on which the applicant may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;

(c) The applicant/accused shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending matter;

(d) The applicant/accused shall not leave the country without prior permission of the court.

With these observations the bail application moved on behalf of applicant/accused Mayank Bhardwaj is disposed off.

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Copy of this order be given dasti to Ld. Counsel for applicant/accused and in compliance of **Sanjay Singh Vs. State (Govt. of NCT of Delhi), Writ Petition Criminal no. 974/22**, copy of this order be also sent to the concerned Jail Superintendent to convey the order to the inmate.

**(Devender Kumar Jangala)
ASJ-05, New Delhi District
Patiala House Courts, New Delhi
28.04.2023**