

Order on application for bail under Section 437 Cr.P.C. of accused Sanjeev Kumar

**CC No. 8055/2017
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U/S. 138 NI Act**

**Dated: 13.08.2020
3.20 P.M.**

Present: Ld. Counsel for accused Sh. MC Kashyap (through VC on cisco webex)
Accused Sanjeev Kumar s/o. Sh. Pawan Kumar (in JC)

An application seeking bail has been moved on behalf of accused. Counsel for accused submits that accused was declared as absconding by this court vide order dated 04.12.2019 and was subsequently arrested by police and sent to JC vide order dated. 07.08.2020 of the Ld. Jail Duty MM, Tihar Jail Court Complex. Ld. Counsel for accused has submitted that accused was not residing on the address provided by the complainant and therefore, accused never received any process of the court.

It is stated in the application that though the house whose address was provided by the complainant to the court is owned by the accused, however, the same was rented out and accused was residing in some other house.

Ld. Counsel for accused has sought release of accused on bail on the following grounds:

1. Wife and minor children of accused are dependent on him and living alone. There is no one else to take care of them except the accused.
2. Accused has to take care of his old and sick parents.
3. Pandemic situation of Covid-19.

Copy of bail application be supplied to counsel for complainant through email.

At 4.00 P.M.

Present: Same as above

Ahlmad of the Court has reported that upon telephonic conversation with the counsel for complainant whose vakalatnama is on record, it has been informed by counsel Sh. Lal Bahadur Pandey that he is no longer in contact with the complainant. Further, there are no contact details of complainant in the judicial file.

Accordingly, I proceed to decide the bail application of accused on the basis of record and submissions of counsel for accused.

Heard. Record perused. Considering the submissions made, I deem it fit to admit the accused on bail since no purpose would be served by keeping the accused in JC further. Accused is warned to be careful in future and appear before the court regularly. Accused Sanjeev Kumar is admitted to bail subject to furnishing a personal bond to the tune of Rs. 50,000/- with a sound surety of like amount. Further, accused is directed to furnish his correct present residential address in the personal bond and to intimate any change in residential address in future to the court forthwith. Accordingly, the bail application of accused stands allowed.

Copy of the order be sent to the counsel for accused and concerned Jail Superintendent through email and be uploaded on the website of Delhi District Courts.

MOHIT SHARMA
MM-01 (NI ACT), WEST DISTRICT,
TIS HAZARI DISTRICT COURTS,
DELHI,
13.08.2020