

**Santosh Kumar Vs. State**

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**Court :** Delhi

**Decided On :** Oct-04-2001

**Reported in :** 2002(61)DRJ552

**Judge :** S.K. Agarwal, J.

**Acts :** [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 438; Indian Penal Code (IPC) - Sections 406 and 498A

**Appeal No. :** Crl. M. (M) No. 1163/2001

**Appellant :** Santosh Kumar

**Respondent :** State

**Advocate for Def. :** Sanjay Sahay, Adv.

**Advocate for Pet/Ap. :** Pawan Sharma, Adv.; Rakesh Sherawat, Adv

**Judgement :**

**S.K. Agarwal, J.**

1. This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 175/2001, under Sections 406/498A IPC, P.S. Kalkaji.

2. Learned counsel for petitioner submits that petitioner has already participated In the Investigation ; he Is n Government servant having clean antecedents; all

articles of jewellery have been returned and nothing is due and payable ; he is ready and willing to pay Rs. 50,000/- by way of bank draft in the name of complainant towards her claim of unrecovered Istridhan articles, without prejudice to his rights and contentions. Learned APP for State, on instructions, submits that petitioner has already participated in the investigations and the dispute is only with regard to the Istridhan articles. Complainant who is present in person, also submits that without prejudice to her rights and contentions, she is ready and willing to accept Rs. 50,000/- towards her claim of unrecovered Istridhan articles.

3. In the facts and circumstances of the case, petitioner, in the event of his arrest, is ordered to be released on bail, on his furnishing personal bond in, the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Arresting Officer/SHO, subject to the condition of his giving draft of Rs. 50,000/-. Petitioner shall not visit the jurisdiction of P.S. Kalkaji.

4. Petition stands disposed of.

5. dusty.

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