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**IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3631/2022**

**DR. AADHAR KHERA**

..... Petitioner

Through: Mr. Saurabh Kirpal, Sr.  
Adv. with Mr. Sanjay  
Abbot & Ms. Sanjana  
Mishra, Advs.

versus

**STATE (GOVT. OF NCT OF DELHI** ..... Respondent

Through: Ms. Richa Dhawan, APP  
Inspector Awadh Kr.  
Singh, PS EOW, New  
Delhi  
Mr. Arunabh Chaudhary,  
Sr. Adv. with Mr. Ankur  
Chawla, Mr. Aditya Pujari,  
Mr. Mudit Jain, Mr. Aamir  
Khan & Mr. C.B. Bansal,  
Advs. for complainant

**CORAM:**

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

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**13.12.2022**

**CRL.M.A. 25379/2022 (for exemption from filing the certified copies of the annexures)**

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

**BAIL APPLN. 3631/2022 & CRL.M.(BAIL) 1478/2022**  
**(seeking interim anticipatory bail)**

3. The present application is filed under Section 438, Code of Criminal Procedure ("Cr.P.C."), seeking pre-arrest bail in FIR No. 14/2022 dated 27.01.2022, filed under Sections 408/420/467/468/471/120B of Indian Penal Code, 1860 ("Indian Penal Code, 1860"), registered at Police Station Economic



Offences Wing.

4. Learned senior counsel for the petitioner submits that the applicant is a practising Doctor and cannot be held liable only for the reason that he is the brother of the accused (Siddharth Khera). He submits that only if some amount has been deposited in his account, it cannot be assumed that the applicant is involved in the functioning of the company which is alleged to have cheated the complainant, M/s Seagull Maritime Agencies.

5. Learned senior counsel for the complainant states that the applicant is actively involved in the activities of the company which has cheated their clients. He submits that the applicant is not a sleeping partner and has taken active role in the functioning of the partnership firm formed for the purpose of cheating.

6. Learned APP for the State also opposes any relief being granted to the applicant. She submits that the preliminary inquiry which has been conducted clearly points out towards the active involvement of the applicant.

7. Let the reply be filed before the next date of hearing.

8. List for consideration on 22.12.2022.

9. In the meantime, no coercive steps to be taken till the next date of hearing, subject to the applicant joining and cooperating with the investigation.

10. The complainant is also at liberty to file reply to the present application.

**AMIT MAHAJAN, J**

**DECEMBER 13, 2022**

**“SS”**