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

Judgment delivered on 18.12.2019

+ **BAIL APPLN. 2823/2019 & CrI.M.A. 40027/2019**

KRISHMA RAJPUT @ PRIYA THAKUR

..... Petitioner

Through: Mr.B.S.Billowria, Advocate.
versus

STATE (NCT of Delhi)

..... Respondent

Through Mr. G.M.Farooqui,
APP for State.
SI Kuldeep-Crime Branch,
Chanakya Puri.

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

J U D G M E N T

BRIJESH SETHI, J.(Oral)

1. Vide this order, I shall dispose of a bail application filed u/s. 439 CrPC by the petitioner **Krishma Rajput @ Priya Thakur** in FIR No. 148/2017, u/s. 365/397/412/420/467/468/471/201/506/120-B IPC & 25/27/29 Arms Act, P.S. Crime Branch East Delhi.

2. Ld. Counsel for the petitioner has prayed for bail on the ground that petitioner is innocent and falsely implicated. She is aged about 32

years and is single parent having one minor son and old aged mother. It is submitted that till 16.10.2019, even the cross examination of complainant has not been completed and there are 35 witnesses and 7 under trial persons and it will take long time to conclude the trial. Petitioner is in JC since 27.09.2017. Nothing incriminating has been recovered either from her possession or at her instance and allegations against her are false and baseless and therefore, it is prayed that petitioner be released on bail.

3. Ld. Counsel for the petitioner, in support of its submissions, has relied on following case law:-

- a. R.D.Upadhyay v. State of A.P. 7 Ors. (1996) 3 SCC 422;
- b. Payal v. state, Bail Appl. No. 2401/2019 of High Court of Delhi; Ajay Verma v. Govt. of NCT of Delhi, W.P.(C) 10689/2017 of High Court of Delhi;
- c. Kirti @ Pooja v. State, Bail Appl. No. 2435/2019 of High Court of Delhi.

4. I have gone through the above case law. There is no quarrel with the proposition of law laid down therein. However, the facts and circumstances in the case are clearly distinguishable from the authorities cited by Ld. Counsel for the petitioner.

5. Ld. APP for the state has opposed the bail application on the ground that allegations against the petitioner are serious in nature. Petitioner along with her associate has abducted the complainant on gun point and robbed him of his Rs. 36 lacs. He has, therefore, prayed for dismissal of the bail application.

6. I have considered the rival submissions. As per prosecution the complainant Hitesh deals in Bit Coin trade and sells/purchases Bit Coins. On 07.04.2017, he along with his friend Anand had gone for a deal at V3S Mall, near Nirman Vihar Metro Station on the call of one lady Krishma Rajput (petitioner herein). They reached there but petitioner along with her associates abducted both of them at gun point and took them to a flat at Vaishali, Ghaziabad, U.P. and robbed him of Rs. 36 lacs. During investigation, four accused persons namely Karamvir Singh, Devendra Chauhan, Sandeep Chauhan @ Sandy and Kunal Sharma were arrested and at their instance recoveries were made. According to prosecution, the accused persons used to cheat the targets on the basis of fake voter ID Card and Permanent Account Number (PAN). The offence committed by the petitioner along with her associates is serious in

nature. The call detail records confirm location of the petitioner. The record, Prima facie, reveals that petitioner has played an active role in the commission of the alleged offence. She has refused to participate in the TIP before the Ld. Link M.M. Further, keeping in mind the fact that the material witness i.e. complainant Hitesh Shukla and his friend Vishal Chandna are yet to be examined and also in view of seriousness and gravity of the offence, no grounds for bail are made out. The bail application along with pending application is, therefore, dismissed and stands disposed of accordingly.

BRIJESH SETHI, J

DECEMBER 18, 2019

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