



\$~6 & 7

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

+ BAIL APPLN. 175/2024

RAJINDER SINGH

.....Petitioner

Through: Mr. Samrendra K. Das, Advocate

versus

THE STATE GOVT. NCT OF DELHI

.....Respondent

Through: Mr. Raghuinder Verma along with SI
Vishal Yadav

+ BAIL APPLN. 176/2024

ROHIT SANGWAN

.....Petitioner

Through: Mr. Samrendra K. Das, Advocate

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Raghuinder Verma along with SI
Vishal Yadav

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
25.11.2024

%

1. By way of this common order, this Court shall dispose of the bail applications of the applicants herein jointly.
2. The instant bail applications under Section 438 of the Code of Criminal Procedure, 1973 (hereinafter "CrPC") [now Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS")] have been



filed on behalf of the petitioners/applicants seeking grant of anticipatory bail in FIR No. 461/2022 registered at Police Station – Safdarjung Enclave, New Delhi, for the offences punishable under Sections 420/468/471/120-B of the Indian Penal Code, 1860 (hereinafter “IPC”).

3. Learned counsel appearing on behalf of the applicants submitted that the applicants are innocent persons and are permanent residents of District Rohtak, Haryana. It is also submitted that the applicants have roots in the society and does not have a flight risk.

4. It is further submitted that the applicants have not committed any offence as alleged in the aforesaid FIR and they have clean antecedents as there is no criminality pending against them.

5. It is submitted that after receiving notice under Section 41-A of the CrPC, the applicants have joined the investigation and co-operated with the investigating agency, as and when required.

6. On instructions, learned counsel for the applicants undertakes that the applicants shall abide by all the terms and conditions imposed upon them by this Court while granting anticipatory bail. Furthermore, he undertakes that the applicants shall co-operate with the investigating agency and supply all the documents available with them to the Investigating Officer, as and when required.

7. It is further submitted that the total consideration involved in the present case is Rs. 55,00,000/-, out of which Rs. 40,00,000/- have already been paid to the complainant and an approximate sum of Rs. 15,00,000/- is outstanding, which is to be paid to the complainant. He undertakes that the applicants are willing to pay an amount of Rs. 5,00,000/- to the complainant and for the remaining outstanding amount, goods in question are lying in



their godown, which can be delivered to the complainant after receiving instructions regarding the same from the complainant.

8. It is further submitted that the dispute in the present case is of civil nature and therefore, in view of the foregoing submissions, it is prayed that the instant application may be allowed.

9. Heard learned counsel for the applicant.

10. Issue notice. Mr. Raghuinder Verma, learned APP for the State appearing on advance notice, accepted the notice.

11. *Per contra*, learned APP for the State vehemently opposed the present application by submitting that despite the applicants joining the investigation, they have not furnished the requisite documents required by the Investigating Officer, thereby not co-operating with the investigating agency. Furthermore, learned APP for the State did not dispute the payment of Rs. 40,00,000/- made to the complainant by the applicants.

12. Therefore, in view of the foregoing submissions, it is prayed that the present application be dismissed.

13. Heard learned counsel for the parties and perused the material placed on record.

14. It is not disputed that the total consideration of the entire dispute is Rs. 55,00,000/-, out of which Rs. 40,00,000/- have already been paid by the applicants along with the co-accused to the complainant. Moreover, the applicants have undertaken to pay the outstanding amount, wherein they are willing to pay Rs. 5,00,000/- and the remaining outstanding amount will be paid in the form of delivering the goods in question, which are lying in the godown, to the complainant, upon receiving his instructions for the same.

15. Upon perusal of the contents of the instant application, the fact that



Rs. 40,00,000/- have already been paid as well as the undertaking given by the applicants pay the outstanding amount to the complainant and to abide by all the terms and conditions of imposed by this Court while granting anticipatory bail to them, this Court is inclined to grant anticipatory bail to the applicants.

16. Accordingly, it is directed that in the event of arrest, the applicants be released on bail on their furnishing personal bonds in the sum of Rs.1,00,000/- (Rupees One Lakh only), each, with two solvent sureties of like amount to the satisfaction of the Court concerned/Investigating Officer subject to the conditions as follows:-

- a) The applicants shall surrender their passport, if any, to the Court concerned and shall under no circumstances leave India without prior permission of the Court concerned;
- b) The applicants shall cooperate in the investigation and appear before the Court concerned as and when required;
- c) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case and attempt to tamper with the evidence;
- d) The applicants shall provide their respective mobile number(s) to the Investigating Officer and keep it operational at all times;
- e) In case of change of residential address and/or mobile number, the same shall be intimated to the Court concerned by way of an affidavit.

17. With the aforesaid directions, the instant bail applications are allowed and stand disposed of. Pending applications, if any, stands dismissed.



18. It is made clear that the observations made herein, touching upon the merits of the case, are purely for the purpose of deciding the question of granting of protection to the applicants, which shall not be construed as an expression of observations on the merits of the case.

CHANDRA DHARI SINGH, J

NOVEMBER 25, 2024

Rt/mk

[Click here to check corrigendum, if any](#)