



\$~2 & 3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 879/2024 & CRL. M.A. 8343/2024**
RAJESH KUMAR

.....Petitioner

Through: Mr. Mukesh Kalia, Mr. Sanjeev
Kumar and Mr. Sunny Sharma,
Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for State.
Mr. Puneet Mittal, Sr. Advocate with
Ms. Sakshi Mendirata and Mr.
Sameer Vatts, Advocates for
complainant.

3

+ **BAIL APPLN. 1188/2024**
NARESH PANWAR

.....Petitioner

Through: Mr. Mukesh Kalia, Mr. Sanjeev
Kumar and Mr. Sunny Sharma,
Advocates.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP for State.
Mr. Puneet Mittal, Sr. Advocate with
Ms. Sakshi Mendirata and Mr.
Sameer Vatts, Advocates for
complainant.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI



ORDER

19.11.2024

%

1. By way of present applications, the applicants/petitioners seek anticipatory bail in FIR No.95/2024 registered under Sections 323/365/506/34 IPC P.S. Prashant Vihar, Delhi.
2. Mr. Mukesh Kalia, learned counsel for the applicants submits that the applicants were granted interim protection and have joined investigation. He submits that co-accused *Narendra Malhotra* was also arrested, who was released immediately by the concerned Court. He further submits that even otherwise as per the complainant's case, the applicants only acted as mediators, while the deal pertaining to the complainant's property was being executed. Learned counsel for the applicants also submits that the complainant himself is involved in two cases in which he is alleged to have duped innocent purchasers.
3. The applications are opposed by learned APP for the State, duly assisted by learned Senior Counsel for the complainant. Learned APP states that though the applicants have joined investigation, however, whereabouts of other accused are not being disclosed by them.
4. Learned Senior Counsel for the complainant states that one of the offences pending investigation is under Section 327 IPC which prescribes punishment of imprisonment up to 10 years. He has also disputed the submissions made on behalf of the applicants about the complainant's involvement in any of the aforesaid two cases.
5. I have heard learned counsels for the parties as well as learned APP for the State and have also gone through the material placed on record. As per the case of the prosecution, the complainant has received simple injuries



and though allegations of abduction are made, the complainant was released on the same day.

6. Considering that the applicants have already joined investigation, the interim protections granted to the applicants vide orders dated 15.03.2024 and 05.04.2024 are made absolute and it is directed that in the event of arrest, the applicants be released on bail subject to them furnishing a personal bond in the sum of ₹25,000/- each with one surety of like amount each to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bonds, the applicants shall provide their mobile numbers, which they undertake to keep operational at all times during the pendency of the trial.
- (ii) The applicants shall join the investigation as and when asked.
- (iii) The applicants shall inform the concerned Investigating Officer about their current residential address.
- (iv) In case of change of residential addresses/contact details, the applicants shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicants shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicants shall regularly appear before the Trial Court.

7. The applications are disposed of in the above terms alongwith the pending application.



8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

NOVEMBER 19, 2024/ssc