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

+ **BAIL APPLN. 1544/2024**

ARSHAD

..... Petitioner

Through: Mr. Vinod Malhotra, Advocate.

versus

STATE OF NCT DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State
with SI Laxman Kumar PS EOW,
Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

22.05.2024

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1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.178/2022 registered under Sections 406/420/409/468/120 IPC and Sections 25/54/59 of Arms Act at P.S. EOW, Delhi.

2. Learned counsel for the applicant submits that the applicant is in custody since 17.12.2022. The applicant claims that he is illiterate and was merely an employee in the accused companies i.e. M/s Fiza Placement Pvt. Ltd. and M/s Asiatas Consulting (OPC) Private Limited. It is submitted that the applicant was not aware of any offence committed by the co-accused. It is also stated that the applicant's case is at parity with co-accused Gul Bahar Ali who has already been released on regular bail by this Court on 06.02.2024. The charge-sheet has since been filed and that the trial will take a long time. Lastly, it is stated that the applicant is not involved in any other case.



3. The bail application is vehemently opposed by learned APP for State. Referring to the status report, he disputes the submissions on behalf of the applicant that the role of the present applicant is at parity with the co-accused Gul Bahar Ali who has already been released on regular bail. It is stated that besides recovery of 154 passports and one gun along with five live cartridges, there is also recovery of 29 fake rubber stamps of various countries from the present applicant.

4. At this stage, learned counsel for the applicant states that though the prosecution has alleged that the cheated amount to be Rs.88,87,800/-, however none of the said amount has travelled to the applicant's account.

On a specific query, learned APP states that the applicant has remained in the background and in this regard, has referred to the statement of one Diksha, who was employed as HR Manager. In her statement, she stated that she was interviewed by none other than the present applicant for the job. Learned APP further states that the rent agreement with respect to the office of the accused company is also entered into between the present applicant and the owner Parveen Pruthi

5. Considering that the case involves about 150 victims and cheated amount of Rs.88,87,800/-, as well as further fact that there is recovery from the present applicant, no ground for grant of bail is made out. The application is accordingly dismissed.

MANOJ KUMAR OHRI, J

MAY 22, 2024/rd