



\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 3202/2023

MANOJ KUMAR @ BANTY

..... Petitioner

Through: Mr.K.C. Mittal, Mr.Yagansh
Mittal & Mr.Parveen Asiwali,
Advts.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr.Aman Usman, APP.
SI Sanjana, PS Sarojini Nagar.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

18.01.2024

%

1. The present application has been filed by the applicant under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'CrPC') praying for grant of anticipatory bail in FIR No.SWD-SN-000327/2023 registered with the E-Police Station: Sarojini Nagar, South-West District, Delhi, under Sections 380/454/34 of the Indian Penal Code, 1860 (in short, 'IPC').

2. It is alleged against the applicant that on 16.08.2023, a complaint was lodged informing that one mangal sutra, Tikka (gold), Gold Earring, Gold Ring, Rs.7000/-, Payal (silver), LIC documents, and one pital ka tala was stolen from the house of the informant/complainant. On checking the CCTV footage, the identity of a suspected vehicle with three unknown occupants was discovered.



The vehicle was tracked, and the accused were nabbed. It is stated that they admitted to the offence and have also disclosed the fact that they had sold the jewellery items to the applicant herein.

3. The learned counsel for the applicant submits that, pursuant to the *interim* order dated 22.09.2023 of this court, the applicant has joined in the investigation. He submits that, without prejudice to the rights and contentions of the applicant, the applicant undertakes to deposit a sum of Rs.50,000/- with the learned Trial Court within a period of four weeks, and also undertakes to join the investigation and appear before the Investigating Officer (IO) or the concerned Trial Court, as and when called.

4. Keeping in view the fact that the applicant has already joined the investigation and charge-sheet already stands filed, and subject to any further order of the learned Trial Court (as the Charge Sheet stands filed), and compliance with the above undertakings, the applicant, in the event of his arrest, be enlarged on anticipatory bail in FIR No.SWD-SN-000327/2023 registered with the E-Police Station: Sarojini Nagar, South-West District, Delhi, under Sections 380/454/34 of IPC, subject to further following conditions:

- (i) that the applicant will join investigation as and when directed, in writing;
- (ii) that the applicant shall not leave National Capital Territory of Delhi without intimating the IO/SHO concerned;
- (iii) that the applicant shall not, directly or indirectly, try to contact/influence the complainant or any other witness(s) or tamper with evidence of the case;



(iv) the applicant shall deposit with the learned Trial Court a sum of Rs. 50,000/- with the learned Trial Court within a period of four weeks. The learned Trial Court shall keep the same in a fixed deposit and, at the conclusion of the Trial, shall pass appropriate orders with regard to the same; and,

(iv) that the applicant shall furnish his mobile phone/landline number and residential address to the IO/SHO concerned and shall keep his mobile/landline phones operational at all times during this period, and in the event of any change of the same, will immediately inform the same to the IO/SHO.

5. The application is allowed in the above terms.

6. *Dasti.*

NAVIN CHAWLA, J

JANUARY 18, 2024/rv/ss

Click here to check corrigendum, if any