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

+ **BAIL APPLN. 3519/2022**

SAYED ALI BAQAI

.....Petitioner

Through: Mr. Syed M. Imam, Mr. Atif
Suhrawardy & Mr. Pankaj Kumar,
Advocates

versus

STATE OF NCT DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
SI Deepak, PS IP Estate
Mr. Naushad Ahmed, Ms. Supriya
Malik, Mr. Habib ur Rehman, Advs.
For R-2

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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29.08.2024

1. This petition is filed seeking anticipatory bail in FIR No.330/2022 under Sections 120B/385/387/419/506 IPC P.S I.P. Estate. Proceedings under Section 82 Cr.P.C. were kept in abeyance during pendency of the petition and that interim order continues till date.

2. Status report was filed on 5th January 2024 noting that a co-accused Imtiyazuddin had been granted regular bail by order dated 16th August 2023 of the Trial Court. At that stage, it was also stated that the investigation was at a nascent stage; however, APP for the State submits on instructions that investigation is now complete and charge-sheet is about to be filed. He further submits, on instructions of the IO, that there is no requirement of custodial interrogation of the petitioner, at this stage.

3. FIR was registered on the basis of complaint filed by one Mr. Jamal



Sidique, National President; BJP Minority Morcha alleging that on 14th September 2022, at about 8 pm, his secretary received a call from an unknown number. When the complainant called back at that number, the person was speaking, impersonating as Deputy CM, UP and asked for money. Thereafter, calls were received for extortion of money.

4. Later, on 20th September 2022, accused along with his associates reached Delhi and waited outside the BJP Head Quarters. At that stage, complainant caught two accused persons while two other accused including the present petitioner and Imtiyazuddin fled in the car.

5. In these circumstance, section 82 Cr.P.C. proceedings had been initiated but have been stayed by this Court.

6. APP states on instructions of the IO that petitioner has joined investigation in the meantime, including till very recently on 15th August 2024.

7. Counsel for complainant however objects to anticipatory bail petition on the ground that offence is serious and petitioner was earlier absconding the matter and is a political rival of the complainant.

8. However, in the facts and circumstances, considering submissions made by the State, no purpose would be served in keeping this petition on Board and accordingly this petition is allowed.

9. In light of the above, the Court is of the considered opinion that the petitioner is entitled to anticipatory bail. Consequently, in the event of arrest the petitioner be released on bail on furnishing a personal bond in the sum of Rs. 25, 000/- with one surety of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned, further subject to the condition that the petitioner will join investigation as and when directed and not influence any witness/complainant/victim or tamper with evidence of the case.



Additionally, subject to condition that the petitioner shall report to the SHO/IO P.S I.P. Estate, every Friday at 4:00 pm, and shall not be kept waiting for more than an hour.

10. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

11. Counsel for complaint states that he has some further issues regarding conduct of petitioner, for which he has liberty to inform IO and take further steps in accordance with law.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 29, 2024/sm