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

+ **BAIL APPLN. 3216/2024**

VIKAS

.....Applicant

Through: Mr. Satpal Singh, Mr.
Amardeep & Ms. Sarita
Solanki, Advocates.

versus

THE STATE GOVT OF NCT OF DELHIRespondent

Through: Mr. Manoj Pant, APP for
the State.
Inspector Shiv Dev (P.S.
IFSO/Special Cell).

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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29.11.2024

CRL.M.A. 26786/2024 (exemption from filing certified copies of annexures)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

BAIL APPLN. 3216/2024

3. The present application is filed seeking regular bail in FIR No. 297/2023 dated 14.12.2023, registered at Police Station Special Cell, for offences under Sections 420/467/468/471/120B/34 of the Indian Penal Code, 1860 and Sections 66C/66D of the Information Technology Act, 2000.
4. The FIR was registered pursuant to the complaint that the complainant was fraudulently induced to part with sum of ₹51,55,000/- on the pretext of allotment of CNG outlet/franchise.



5. It is alleged that the complainant came across an advertisement on Facebook and when the complainant clicked on the link posted on Facebook, a notification came where he was asked to fill a form. The complainant was also asked to deposit money from time to time and the complainant within a period of four months from September, 2023 paid a sum of ₹51,55,000/-. It is the case of the prosecution that technical surveillance has led the police to the applicant and the other accused persons.

6. It is alleged that a sum of ₹9,02,000/- of the cheated amount was withdrawn by the applicant and other accused persons from one ATM in Haridwar.

7. The learned counsel for the applicant submits that the applicant has been falsely implicated in the present case.

8. He submits that the applicant is a taxi driver by profession and is not involved in the alleged crime.

9. The applicant was arrested on 11.04.2024 and is in custody since then.

10. The State, though, has filed the chargesheet in the present case, however, it is submitted by the learned Additional Public Prosecutor for the State that the investigation is still going on.

11. It is not disputed, at this stage, that the bank account from which the sum of ₹9,02,000/- was withdrawn was not opened by the applicant.

12. The case of the applicant, at this stage, is that he was a taxi driver and was carrying the other persons from whom the sum of ₹9,02,000/- was recovered.

13. The applicant has already spent substantial period of time in custody.

14. The chargesheet has already been filed against the applicant. No purpose would be served by keeping the applicant



in further custody.

15. The applicant is also stated to have clean antecedents.

16. In view of the above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

15. In the event of there being any FIR/DD entry / complaint lodged against the applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

16. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application



and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

17. The bail application is allowed in the aforementioned terms.

AMIT MAHAJAN, J

NOVEMBER 29, 2024

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