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

+ **BAIL APPLN. 3241/2024, CRL.M.A. 36120/2024 & CRL.M.(BAIL)
2035/2024**

NEETU SHARMA

.....Petitioner

Through: **Mr.Adarsh Priyadarshi and Mr.Jatin
Choudhary, Advs.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Raghuinder Verma, APP for the
State
Mr. Archit Kaushik, Adv. for
complainant**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

19.12.2024

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1. The instant bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter as the “BNSS”) has been filed on behalf of the petitioner/applicant seeking grant of regular bail in FIR bearing No. 350/2019, registered at Police Station - Crime Branch, Delhi, for offences punishable under Sections 406/409/420/120-B of the Indian Penal Code, 1860 (hereinafter “IPC”) and Sections 3/4/5 of the Prize Chits And Money Circulation Schemes (Banning) Act, 1978.

2. Learned counsel for the applicant submitted that the applicant herein is an innocent person and has been falsely implicated in the present case as she has not committed any offence as alleged in the aforesaid FIR.

3. It is further submitted that the applicant has no criminal antecedents



and has strong roots in the society. Moreover, she has an old mother and a minor son to take care of and hence, the applicant is not a flight risk.

4. It is submitted that the applicant has been languishing in jail since 11th October, 2022 and has been in judicial custody since then. Moreover, the investigation in the instant case has already been completed and the chargesheet and supplementary chargesheets have already been filed by the investigating agency. It is further submitted that the applicant has not been named in the chargesheet dated 26th June, 2024, therefore, no role has been assigned to the applicant in the instant case.

5. It is further submitted that there is no male member in the applicant's family to take care of her age old mother, who is suffering from paralysis, and her minor child and therefore, her presence is necessary to provide care for both her mother and her child.

6. It is submitted that the alleged offences against the applicant, except for the offence punishable under Section 409 of the IPC, are punishable for a sentence less than seven years. It is further submitted that 167 witnesses are yet to be examined and therefore, conclusion of the trial would take a substantial period of time.

7. Learned counsel for the applicant undertakes that the applicant shall abide by all the terms and conditions imposed by this Court while granting the regular bail.

8. In view of the foregoing submissions, it is prayed that the instant application be allowed and applicant may be granted bail.

9. *Per contra*, learned APP for the State has vehemently opposed the instant application and submitted that the applicant was trying to leave the country when she was arrested at the India-Nepal Border. Therefore, she is



not liable for any concession from this Court.

10. However, learned APP for the State did not contradict to the fact that the investigation has already been completed, and chargesheets and supplementary chargesheets have already been filed. He further conceded that the applicant has no criminal antecedents and the fact that many witnesses are yet to be examined in the instant case.

11. In view of the aforesaid submissions, it is prayed that the instant application be dismissed being devoid of merits.

12. Heard learned counsel for the parties and perused the record.

13. This Court has perused the contents made in the application, Status Report filed by the State as well as the aforesaid FIR. It is an admitted fact that the applicant was arrested on 11th October, 2022 and has been languishing in jail since then. Moreover, the alleged offences leveled against the applicant are punishable for a sentence less than seven years, except for the offence punishable under Section 409 of the IPC and therefore, the same are triable before the Court concerned.

14. It is further observed that the investigation has already been completed and chargesheet and supplementary chargesheets have already been filed. Moreover, the applicant does not have a history of previous involvement in criminal cases and therefore, the applicant has clean antecedents.

15. In view of the absence of criminal antecedents, and the fact that the investigation had already been completed and chargesheets have been filed alongwith the fact that the applicant has been languishing in jail since 11th October, 2022, this Court is inclined to allow the instant applicant seeking regular bail. Accordingly, it is directed that the instant applicant be released



in bail on his furnishing personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with two sureties of like amount to the satisfaction of the Jail Superintendent/ Trial Court subject to the conditions as follows:-

- (a) the applicant shall under no circumstances leave India without prior permission of the Court concerned;
- (b) the applicant shall appear before the Court concerned as and when required;
- (c) the applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, and/or attempt to tamper with the evidence;
- (d) the applicant shall provide his mobile number(s) and keep it operational at all times;
- (e) the applicant shall commit no offence whatsoever during the period he is on bail;
- (f) in case of change of residential address and/or mobile number, the same shall be intimated to the Court concerned by way of an affidavit; and
- (g) the applicant shall report to the concerned Police Station on 15th day of every calendar month.

16. Accordingly, the instant bail application along with pending applications, if any, stands disposed of.

17. Copy of this order be sent to Jail Superintendent for compliance.

18. It is made clear that any observations touching merits of the case are purely for the purpose of deciding the question of grant of bail by this Court and shall not construed as an expression of final observation in the



proceedings pending before Trial Court.

DECEMBER 19, 2024
Rt/mk

CHANDRA DHARI SINGH, J

[Click here to check corrigendum, if any](#)