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

+ BAIL APPLN. 405/2024

**BANKIM CHANDRA RAJ KUMAR PANDIT** ..... Petitioner

Through: Mr.Akhilesh Kumar Meena,  
Mr.Akhilesh Kr.Y. and Ms.Akshra Arshi,  
Advocates

versus

**STATE THROUGH SHO PS LAHORI GATE AND ANR**

..... Respondents

Through: Mr.Sanjeev Sabharwal, APP for State  
with SI Harender Kr.

Dr.ram Avtar Sharma, Ms.Dinki Arora and  
Ms.Anamika, Advocates for respondent No.2

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

**06.03.2024**

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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.212/2022 registered under Sections 420/406/506/120B/34 IPC at P.S. Lahori Gate, Delhi.

2. Learned counsel for the applicant submits that the applicant has been in custody since 26.05.2022 and since the chargesheet has been filed, no further investigation is required to be undertaken. It is also stated that the applicant is not involved in any other case. Learned counsel for the applicant submits that *Gitesh Jain* and *Vishal Gupta @ Vishal Mahajan* have already been released on regular bail. He further submits that as per prosecution case, the applicant was introduced to the complainant by the main accused whereafter, on the asking of *Gitesh Jain*, an RTGS transaction of Rs.35,01,000/- was made to the account of the applicant's firm namely 7



*Star Service Consultancy*. It is stated that immediately thereafter, on the asking of *Gitesh Jain*, the said sum was transferred to the account of the co-accused namely, *Vishal Gupta @ Vishal Mahajan*, who has already been enlarged on bail. It is thus submitted that no amount remained with the present applicant.

3. Learned APP for the State has vehemently opposed the present application. As per the prosecution case, on 14/15.10.2020, *Gitesh Jain* approached the complainant to provide loan. Various documents were collected and a loan of Rs.10 crore was promised to the complainant. Subsequently, in March 2021, *Gitesh Jain* called the complainant and introduced the applicant as a private financier being the proprietor of *7 Star Service Consultancy*, who discussed the loan transaction and also demanded loan processing fee in advance. The complainant had transferred a sum of Rs.40 lacs to the account maintained by *Gitesh Jain*. Thereafter, *Gitesh Jain* and present applicant introduced the complainant to *Vishal Gupta @ Vishal Mahajan* as a partner in the applicant's firm. Learned APP for the State, on instructions, submits that out of Rs.35 lacs received by the complainant, Rs.30 lacs came to be transferred in the account of co-accused namely, *Vishal Gupta @ Vishal Mahajan*.

4. At this stage, learned counsel for the petitioner submits that subsequently, the remaining amount was also transferred.

5. Keeping in view the aforesaid facts and circumstances including the fact that the chargesheet has been filed and that both the co-accused persons namely *Gitesh Jain* and *Vishal Gupta @ Vishal Mahajan* have already been released on bail, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like



amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court and subject to the further following further conditions:-

- (i) The applicant shall not leave the NCT of Delhi without prior permission of the concerned Court.
  - (ii) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
  - (iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned IO as well as to the concerned Court.
  - (iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
  - (v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.
6. The application stands disposed of in the above terms.
  7. Copy of this order be communicated electronically to the concerned Jail Superintendent for information.
  8. Copy of this order be uploaded on the website forthwith.
  9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the observations are only for the purpose of the disposal of the present application.

***DASTI.***

**MANOJ KUMAR OHRI, J**

**MARCH 6, 2024/na**