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

+ **BAIL APPLN. 3411/2024**

KRISHNA SHARMA ALIAS

KRISHNA KUMAR SHARMA

.....Petitioner

Through: Mr.Ashok K.Singh, Ms.Samridhi
Singh, Ms.Aanchal Bindal,
Mr.Deepak Kumar and Ms.Ankita
Baluni, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr.Manoj Pant, APP for State with SI
Karan, P.S. Connaught Place.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

23.09.2024

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CRL.M.A. Nos. 28563-64/2024

Exemption allowed, subject to just exceptions.

Applications stand disposed of.

BAIL APPLN. 3411/2024

1. An application under Section 438 read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of petitioner for grant of anticipatory bail in FIR No. 0117/2024 under Sections 420/34 IPC registered at P.S.: Connaught Place.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. In brief, as per the case of prosecution, present FIR was registered on complaint of Shivam Pandey, an employee with M/s Sukhmani Exchange,



who alleged that on 01.05.2024, his boss Gagandeep called him to his residence and handed 250 notes of 100 USD for depositing in Pankhudi Money Exchange in Connaught Place, Delhi. Further, while he was on his way to Connaught place, he was called by Gagandeep and was instructed to visit Shangri-La Eros Hotel in Connaught Place to meet one Raghav @ Krishna Kumar Sharma (petitioner) with reference to Jatin Bansal and to collect 2000 USD from Raghav.

4. It is further the case of prosecution that when complainant reached Hotel at around 1:30 pm he was asked to visit Room No.911 and a glass bottle containing water was offered. Complainant alleged that he was hypnotised after he made eye contact with Raghav and when he regained consciousness, he found that the bag containing 25000 USD was empty and 250 notes of 100 USD were missing. Thereafter, complainant came out to the lobby of hotel and called Raghav whose phone was found to be switched off. Complainant called his employer who came to the hotel. Further a friend of complainant Pawan made a PCR call from his mobile phone erroneously informing snatching of bag of petitioner on gunpoint.

5. Learned counsel for petitioner submits that there is material discrepancy in initial intimation in respect of robbery conveyed to PCR and complaint subsequently lodged by complainant. He further submits that the petitioner has been falsely implicated and the entire incident is concocted.

6. On the other hand, application is vehemently opposed by learned APP for the State and, on instructions of Investigating Officer, informs that CCTV footage of Shangri-La Eros hotel has been collected wherein petitioner and one Ashok Yadav had left the hotel after about 10 minutes of the incident. It is also pointed out that aforesaid PCR call was not made by



the complainant but by a friend of complainant who had reached the spot. He further submits that petitioner is also involved in FIR No. 250/2024, under Sections 420/34 IPC registered at P.S.: Bakola, Greater Mumbai.

7. Admittedly, conduct of petitioner of leaving the hotel immediately after the alleged incident and switching off his mobile phone casts suspicion on him. The recovery of alleged stolen amount i.e. 25000 USD is yet to be made. Considering the facts and circumstances of the case, custodial interrogation of petitioner appears to be imperative. In the facts and circumstances, no grounds for anticipatory bail are made out.

Application is accordingly dismissed. Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J

SEPTEMBER 23, 2024/v