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

+ **BAIL APPLN. 4743/2024 and CRL.M.A. 38739/2024**

SATBIR @ SATVIR MATHUR

.....Petitioner

Through: Mr.Deepak Choudhary and Mr.Hitesh
Solanki, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

23.12.2024

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1. By way of the present application, the petitioner/applicant seeks anticipatory bail in FIR No.422/2024 registered under Sections 308(2)/308(4)/308(5)/125/61(2)/3(5) BNS 2023 and Sections 25/27 Arms Act at P.S. Kanjhawala, Delhi.

2. Learned counsel for the applicant submits that even as per the prosecution case, the applicant's role is confined to the incident that took place in the month of June, 2023 wherein the complainant allegedly paid a sum of Rs.2.50 lakhs at the asking of one *Rahul Dogra*. He further submits that the said sum was paid only at the instance of *Rahul Dogra*, however, statedly at the office of the present applicant. He also submits that for the subsequent amounts extorted from the complainant, no role has been ascribed to the present applicant. Lastly, it is submitted that the applicant has joined the investigation thrice and cooperated in the same.



3. Learned APP for the State opposes the bail application and has handed over a copy of the Status Report. He submits that the complainant has alleged repeated demands of extortion at the behest of one *Rahul Dogra*, claiming himself to be the part of *Jitender @ Gogi gang*. He further submits that the complainant had parted with the amounts on a few occasions and finally on 22.09.2024, the gunshot was fired outside his office. In fact, there is also recovery of two empty cartridges from the spot. He also submits that at the time of payment of first demand, it has been alleged that the applicant alongwith two other co-accused had threatened and extorted the money. Insofar as the present applicant is concerned, learned APP, on instructions, confirms that the applicant's role is confined only to the first incident and he further concedes that the applicant is not found involved in any other case.

4. I have heard learned counsel for the applicant as well as learned APP for the State and have also gone through the material placed on record.

5. Concededly, the applicant's role is confined to the first incident of extortion of Rs.2.50 lakhs. His role is neither stated in the subsequent acts nor in the incident of firing of the gunshot. The applicant is also stated to have joined investigation on three occasions and further, is not found involved in any other case.

6. Keeping in view the abovenoted facts and circumstances of the case, it is directed that in the event of arrest, subject to him joining investigation whenever required, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions: -



- (i) 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.
 - (ii) The applicant shall join the investigation as and when asked.
 - (iii) The applicant shall inform the concerned Investigating Officer about her current residential address.
 - (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
 - (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
 - (vi) The applicant shall regularly appear before the trial Court.
7. The application, alongwith miscellaneous applications, is disposed of in the above terms.
8. 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 same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

DECEMBER 23, 2024

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