



2025:DHC:2931



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 25.04.2025

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BAIL APPLN. 493/2025, CRL.M.A. 3540/2025 & 245/2025

JYOTI GUPTA

.....Petitioner

Through: Mr. Mohit Chaurasia, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Richa Dhawan, APP for the State
with SI Rupesh Raj.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. In furtherance of last order, it is informed by learned APP on instructions of the Investigating Officer SI Rupesh Raj that the petitioner has handed over her phone and SIM card and she joined further investigation also. Learned APP submits the Status Report which is accepted across the board, to be scanned and made part of the record.

2. The accused/applicant seeks anticipatory bail in case FIR No.508/2024 of PS Netaji Subhash Place for offence under Section 309(4)/317/311/3(5) of BNS. Broadly speaking, the prosecution case is that one Danish Peter @ Goldy was arrested for the offence of having committed

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robbery and dacoity on 20.07.2024 and in his disclosure statement, he stated to have sold the robbed gold ring and gold chain to the present accused/applicant. On the basis of the said statement, the investigating team conducted search at the residence of the accused/applicant but could not find the robbed articles. However, according to prosecution, there are multiple phone calls exchanged by the present accused/applicant and Danish Peter according to Call Data Records, which show her complicity.

3. During earlier hearings, learned counsel for accused/applicant explained that the said phone calls between the accused/applicant and Danish Peter were pertaining to a loan of Rs.20,000/- advanced by the accused/applicant to Danish Peter, out of which the latter paid back Rs.10,000/- and for the balance amount, the accused/applicant was retaining his air conditioner as security. Further, it was submitted on behalf of accused/applicant that the said CDRs pertain to the period between February 2024 and July 2024 whereas the alleged incident occurred on 20.07.2024.

4. On 04.02.2025 before the predecessor bench, the learned APP stated that from overall circumstances, the offence *prima facie* made out against the accused/applicant is under Section 411 IPC and that she had duly joined investigation, so custodial interrogation would not be necessary if she deposits the value of the robbed property, for which the counsel for accused/applicant expressed readiness.

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5. Learned counsel for accused/applicant submits that in terms with above mentioned assurance, the accused/applicant has already deposited a sum of Rs.1,28,000/- with the Registry of this court towards the cost of the allegedly robbed articles and in this regard, compliance affidavit has also been filed.

6. Considering the above circumstances, especially keeping in mind that the accused/applicant is a lady and has already deposited with the Court cost of the allegedly robbed articles in accordance with order dated 04.02.2025 of the predecessor bench, the application is allowed. In the event of her arrest, the accused/applicant be released on bail subject to her furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to satisfaction of the Investigating Officer/SHO concerned. The accused/applicant shall join investigation as and when directed by the Investigating Officer in writing. Pending applications stand disposed of.

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(JUDGE)**

APRIL 25, 2025/ry

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