



\$~4

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

+ **BAIL APPLN. 752/2025**

VIMLA DEVI

.....Petitioner

Through: **Mr. Sunil Prakash Pandey, Advocate**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Mr. Naresh Kumar Chahar, APP for
the State with Inspector Braj Mohan,
SHO/ODRS, HC Prem Chand, P.S.
ODRS, Delhi**

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
06.03.2025

%

1. By way of instant application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of anticipatory bail in case arising out of FIR No. 77/2024, registered for the offence punishable under Section 305/3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Old Delhi Railway Station, District Railway, Delhi.

2. Briefly stated, the facts of the present case are that daughter-in-law of the applicant herein had purchased one mobile phone from one Ranjeet Singh, resident of her nearby village and, and he had sold the same on the pretext that his child was in a serious condition and he required money for his treatment. He had assured her that he will provide the relevant ownership documents to them and accordingly, daughter-in-law of present applicant



had started using the phone after purchasing SIM card on the ID of the present applicant. It is alleged that on 02.01.2025, police officials had approached the applicant herein and informed her that the said mobile phone, which her daughter-in-law was using, is a stolen one property. Thereafter, the present applicant had handed over the mobile phone in question, to the police officials and the police officials had served notice under Section 35(5) of BNSS, 2023 to the applicant. Thereafter, the applicant had filed anticipatory bail application before the learned Sessions Court which was dismissed *vide* order dated 29.01.2025.

3. The learned counsel appearing for the present accused/applicant argues that the applicant is innocent and has clean antecedents. It is argued that the allegation against the present applicant is that the SIM card registered in her name was used by her daughter-in-law. It is further contended that the applicant is ready to join the investigation as and when required by the IO.

4. The learned APP for the State on instructions from the IO, submits that the applicant herein has already joined investigation, and, therefore, an appropriate order may be passed.

5. This Court has heard arguments addressed on behalf of both the parties and has perused the material available on record.

6. Considering the nature of the allegations against the present applicant, and taking into consideration the statement of the I.O. that the applicant has already joined investigation, this Court is inclined to allow the present application. In view thereof, it is directed that in event of arrest, the applicant shall be released on bail, subject to furnishing a personal bond in the sum of Rs.10,000/- with one surety of like amount to the satisfaction of



the IO/SHO concerned, on the following conditions:

- i. The applicant shall not leave the country without prior permission of the learned Court concerned.
 - ii. The applicant shall remain available on mobile number, shared by her with the I.O./S.H.O.
 - iii. The applicant shall join investigation as and when requested by the I.O./S.H.O.
7. The present application is accordingly disposed of. Pending application, if any, also stands disposed of.
8. The order be uploaded on the website forthwith.

MARCH 6, 2025/ns

SWARANA KANTA SHARMA, J

Click here to check corrigendum, if any