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

+ **BAIL APPLN. 942/2025**

SUMAN KUMAR

.....Petitioner

Through: Mr. Rahul Sharma and Mr. Brajesh
Kumar Jha, Mr. Sanjay, Mr. Sachin,
Mr. Gaurav, Mr. Rahul, Advocates.

versus

STATE GOVT. OF NCT OF DELHIRespondent

Through: Mr. Yudhvir Singh, Ld. APP for
the State with SI Amit

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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28.04.2025

1. Bail Application under Section 483 of BNSS has been filed on behalf of the Petitioner for grant of Regular Bail in case FIR No.809/2022 under Section 420/467/468/471/120B IPC, P.S. Ranhola.
2. The Complainant had filed a Complaint with the police in 23.08.2022 about having been duped by one Pintu Kumar Jha who took the a sum of Rs. 22.8 lakhs from the Complainant on the pretext of getting a job for his sons in Railways.
3. On the directions of the learned MM, FIR No. 809/2022, was registered under Sections 424/468/471 IPC at PS Ranhola on 12.11.2022. Investigations were carried out during which the Pintu Jha was found to be absconding and NBWs been issued for his arrest. Complainant gave his statement under Section 161 Cr.P.C. on 13.07.2024 wherein he stated that Pintu Jha with the Applicant-Suman had come to his house in 2018 and had assured him of getting the job for his children in Railways. He further stated



that he and his brother in law had given 12 lakhs in cash near Ashoka Hotel and the remaining amount was gradually paid to Pintu Jha.

4. It was further stated that subsequently Pintu Jha and the Applicant Suman Kumar gave fraudulent appointment joining Letters to his nephew Sachin, his son Ankit and his brother in law Jitender. When Sachin went to join his job, he came to know that the documents were forged. The Complainant sought his money back, but the Applicant arrested him not to worry and told that the money would be returned. It is further stated that the Applicant Suman Kumar along with Pintu Jha had schemed to commit the fraud on the pretext of getting a job in Railways.

5. It is submitted that neither in his Complaint to the Police made in 2022 nor in Complaint under Section 156(3) Cr.P.C, there was ever any role attributed to the Applicant. It is only in a subsequent statement recorded after two years on 30.07.2024 that for the first time the name of the Applicant was introduced. There is admittedly no money transfer to the account of the Applicant. He has been arrested on 21.10.2024 without even being given any Notice under Section 41 Cr.P.C.

6. It is further submitted that in fact, the Applicant had also been similarly cheated and had accompanied the Complainant to the Police Station for redressal of his own grievance, when he was arrested by the police. It is submitted that he may be admitted to bail.

7. **In the Status Report filed by the State**, it is stated that the Applicant in fact is a co-conspirator. His mobile phone was recovered wherein he has given a message *“Problems Bad raha ha, mobile ko band kar lo try to understand”*. Furthermore, from his mobile phone, copies of forged documents of appointment were recovered, which clearly established his



complexity in the offence.

8. Learned Prosecutor has submitted that no Notice under Section 41 Cr.P.C. could be given as the Applicant was absconding and his address was not known. He was apprehended on the information received from the secret informer.

9. The Bail Application is opposed.

10. Submissions heard and record perused.

11. Admittedly, in the initial Complaint to the police as well as in the Court, there was no reference to the role of Suman Kumar having accompanied the co-accused Pintu in the first instance to allure him to pay money to procure the Job in Railway Department. This averment for the first time emerged only in his supplementary statement under 161 Cr.P.C which has been recorded in July, 2024. Admittedly there is no transfer of money in his account. He is in judicial custody since 21.10.2024. Charge sheet has already been filed in the Court.

12. In the totality of circumstances, the petitioner is granted regular bail subject to the following conditions:-

- a) The Petitioner/Accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The Petitioner/Accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The Petitioner/Accused shall provide his mobile number/changed mobile number to the IO concerned which shall be kept in working condition at all times;
- d) The Petitioner/Accused shall not indulge in any criminal



activity and shall not communicate or intimidate the witnesses.

e) In case the Petitioner/Accused changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

13. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.

14. The petition is disposed of.

NEENA BANSAL KRISHNA, J

APRIL 28, 2025/n