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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 950/2025, CRL.M.A. 14499-14500/2025**
SIDDHARTH CHAUDHARY

.....Petitioner
Through: Mr. H.K. Shekhar and Mr. Akshat
Gupta, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent
Through: Mr. Utkarsh, APP for State with SI
Shubhangi P.S. B.K. Road.
Mr. Dharmender Bhan and Mr.
Prateek Kumar, Advocates for
Complainant.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
09.05.2025

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1. Third Bail Application under Section 482 read with Section 528 BNSS has been filed on behalf of Accused/Petitioner Siddharth Chaudhary for grant of Anticipatory Bail in case FIR No.0088/2020 under Section 420/406 IPC registered at Police Station Barkahamba Road.
2. It is submitted that the First Anticipatory Bail Application filed by the Applicant was dismissed on 09.11.2023 by learned ASJ, the Second Anticipatory Bail Application was withdrawn by the Application on 05.12.2023 and this is the Third Anticipatory Bail Application.
3. Briefly stated, the Petitioner has submitted that Notice for Enquiry



had been issued by SI Mantosh Kumar for appearance. On 23-24.11.2020 Notice for Enquiry was issued to co-accused Mohit Kumar. He again received the Second Notice on 11-12.12.2020. The co-accused applied for Anticipatory Bail under Section 438 Cr.P.C which was granted vide Order dated 17.09.2021.

4. The Complainant filed a Petition for cancellation of Anticipatory Bail Order dated 17.09.2021, but after a period of almost three and a half years the Complainant withdrew the Petition on 24.02.2025.

5. It is submitted that the Complaint is based on blatant lies and to put pressure on the Applicant to succumb to the lies. No custodial interrogation is required as the dispute is an offshoot of contractual obligation and is civil in nature, as has also been observed the learned ASJ in its Order dated 17.09.2021 while granting Bail to co-accused Mohit Kumar. There is no record to show that the Applicant had tried to influence the witnesses or tamper with the evidence. The Applicant has already provided all the documents as was sought during the investigation. More than 4 years have elapsed since the FIR was registered, but the investigations have yet not been completed. Hence, the Applicant be granted Bail.

6. ***Learned counsel on behalf of the Complainant*** has opposed the Bail on the ground that he had sought the cancellation of Anticipatory Bail granted to co-accused Mohit Kumar in the year 2021 as threats were extended, though it has been withdrawn in February, 2025. It is submitted that custodial interrogation is required to recover the misappropriated machinery/money received by sale of the machinery. It is also asserted that a threatening call was made to one Prosecution witness Alok Shukla from the mobile phone of the Petitioner, which is well documented in the CDR



record. It is, therefore, submitted that Bail be not granted.

7. ***Learned APP for State*** submits that investigation is almost concluded and the Chargesheet is likely to be filed within a month.

8. **Submissions heard and record perused.**

9. Pertinently, co-accused Mohit Kumar had been granted Anticipatory Bail in 2021, wherein the learned ASJ had observed that the dispute inter-se the parties was having civil overtones. The alleged custodial interrogation is no more required as the investigations are almost complete and the Chargesheet is soon to be filed. In so far as the alleged threat to the Prosecution Witness is concerned, admittedly the cancellation of Bail of co-accused Mohit Kumar was sought on the same grounds, but stands withdrawn by the Complainant on 24.02.2025. Further, the alleged threat was given sometime in 2021, but since then the Petitioner has joined the investigations, which are almost complete.

10. In the totality of circumstances, it is directed that in the event of his arrest, the Petitioner shall be admitted to Anticipatory Bail by the Investigating Officer/Arresting Officer, subject to the following conditions:-

- (i) The Petitioner shall furnish a personal bond in the sum of Rs.35,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer.
- (ii) The Petitioner shall join the investigations, as and when called by the Investigating Officer.
- (iii) The Petitioner shall furnish his cellphone number to the Investigating Officer on which he may be contacted at any time and shall ensure that the number is kept active and switched-on at all times.



(iv) The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case.

(v) The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

11. The Petition stands disposed of in the above terms.
12. Copy of the Order be sent to the learned Trial Court for compliance.

NEENA BANSAL KRISHNA, J

MAY 9, 2025/va