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

+ **BAIL APPLN. 1261/2025 & CRL.M.A. 9781/2025**

DEVESH TRIPATHI

.....Petitioner

Through: Ms. Nupoor Maharaj, Advocate.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP for the State.

SI Mahavir Jogi, PS: B. K. Road.

Mr. Joydip Bhattacharya, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **02.07.2025**

1. The present application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 438 of the Code of Criminal Procedure, 1973²) seeks pre-arrest bail in proceedings arising from FIR No. 79/2024 registered under Sections 420/120B of the Indian Penal Code, 1860³ at P.S. Barakhamba Road.

2. During pendency of the present proceedings, on 1st April, 2025, parties expressed intent to resolve their disputes amicably and at their request, they were referred to Delhi High Court Mediation and Conciliation

¹ "BNSS"

² "Cr.P.C."

³ "IPC"



Centre.⁴ In such circumstances, it was directed no coercive action shall be taken against Petitioner. Such directions are still continuing till date.

3. The mediation proceedings have now fructified and a Settlement Agreement dated 17th April, 2025 has been executed by Shreema Infrarealty Private Limited and Vinayaka Finlease Private Limited (the Complainant), through their respective authorized signatories whereby they have agreed to settle the matter for a sum of INR 1,72,07,593/-. The parties have also agreed to jointly apply for quashing of the impugned FIR, along with resolving other disputes. Counsel representing the Complainant acknowledges the receipt of the payments as per the terms of the Settlement Agreement and further states that the Complainant has no objection to the relief sought in the present application.

4. Having regard to the nature of allegations made in the FIR and in light of the afore-mentioned settlement, the instant petition is allowed with direction that in the event the Applicant is arrested, he shall be released on bail on furnishing a bail bond for a sum of INR 25,000/- with one surety of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The Applicant shall join and cooperate with the investigation as and when directed by the IO;
- b. The Applicant shall not leave the boundaries of the country without informing the IO/ SHO concerned;
- c. The Applicant shall not contact the witnesses or tamper with the evidence in any manner;

⁴ “the Mediation Centre”



- d. The Applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
5. In the event of there being any FIR/ DD entry/ complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.
6. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.
7. The present application, along with pending applications, is disposed of in the afore-mentioned terms.

SANJEEV NARULA, J

JULY 2, 2025

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