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

+ **BAIL APPLN. 1314/2025**

VICKY

.....Petitioner

Through: Mr. Manoj Kumar, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Mukesh Kumar, APP for the
State.

SI Amit Punia, PS: Palam Village.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

13.05.2025

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1. The present application filed under Section 482 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeks grant of anticipatory bail in the proceedings arising from FIR No. 0098/2025, registered under Sections 318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023² at P.S. Palam Village.

2. The impugned FIR was registered pursuant to the statement of one Smt. Kranti Devi, who alleged that on 16th February, 2025, at approximately 03:45 PM, while she was out for a walk, two unknown women approached her and began speaking with her. They then made her sit in an e-rickshaw, where one man was already seated and the other was driving. The women asked her to remove her jewellery and took her ring, chain, two bangles, and

¹ "BNSS"

² "BNS"



earrings, which the accused persons retained with them. They then handed her a bundle wrapped in a handkerchief, and when she opened it, she discovered it contained a stone and glass bangles. The aforementioned individuals deceived the Complainant and fraudulently took her jewellery.

3. Counsel for the Applicant contends that the Applicant is a young boy aged 24 years, who is working as a gym trainer. He emphasizes that the Applicant is innocent and has not been named in the FIR. In fact, the Applicant became aware of the registration of the present FIR only when police officials visited his residence and informed his parents. It is further submitted that the Applicant has a clean record and no prior criminal antecedents.

4. On the previous occasion, taking note of the Prosecution's stand, this Court had directed the Applicant to join the investigation and submit his mobile phone to the Investigating Officer for analysis. In compliance with the said order, the Applicant appeared before the Investigating Officer and deposited his mobile phone, which has since been sent for forensic examination. Although the Applicant is not currently required to appear for further investigation, counsel for the Applicant undertakes that the Applicant shall remain available and appear before the Investigating Officer as and when required.

5. Further, the Court has been apprised that all the other co-accused have been granted regular bail by the Trial Court.

6. The Supreme Court has repeatedly emphasized that the provision of anticipatory bail, under Section 482 BNSS, is rooted in Article 21 of the Constitution, which guarantees personal liberty. This calls for a liberal interpretation of the provision, upholding the fundamental principle that



every individual is presumed innocent until proven guilty. Section 482 aims at protecting the personal liberty of an individual, who, at the time of seeking anticipatory bail, has not been convicted of the alleged offence and is entitled to the presumption of innocence.³ In the present case, it is imperative to emphasize that the Applicant is a young individual aged 24 years with no criminal antecedents, who has duly cooperated with the investigation. It is further noted that all the accused persons have already been granted regular bail by the Trial Court. Accordingly, in the totality of circumstances, the Court finds it to be a fit case for the grant of anticipatory bail. The application is, therefore, allowed.

7. In view of the foregoing, the application is, therefore, allowed. The Applicant, in the event of arrest, is directed to be released on bail on furnishing a bail bond for a sum of ₹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;
- d. The Applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;

8. In the event of there being any FIR/DD entry / complaint lodged

³ Gurbaksh Singh Sibbia and Others v. State of Punjab, (1980) 2 SCC 565; Siddharam Satlingappa Mhetre v. State of Maharashtra and Others, (2011) 1 SCC 694.



against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

9. 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.

10. The application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

MAY 13, 2025

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