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

+ **BAIL APPLN. 1465/2025**

RAJ MISHRA

.....Petitioner

Through: Mr. Vishwajeet Kumar & Mr. Satvik
Raghuvanshi, Advs.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for the State.
Insp. Vikas Mudgal, P.S. Mukherjee
Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

17.04.2025

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1. This hearing has been done through hybrid mode.

CRL.M.A. 11523/2025 (Exemption)

2. Exemption allowed, subject to all just exceptions. Application allowed and disposed of accordingly.

BAIL APPLN. 1465/2025

3. The present application under Section 482 of the BNSS read with Section 528 of the BNSS seeks anticipatory bail in case FIR No. 93/2025 under Sections 351/111/308(4) of the BNS registered at P.S. Mukherjee Nagar.

4. The case of the prosecution is that the present FIR was registered on the complaint of Aman Bhagat, who runs his medical store in Bhai Parmanand Colony. It is stated in the said complaint that, in 2018, the complainant was attacked for extortion and had received one gun shot injury with respect to



which, FIR No. 675/2018, under Sections 307/506/34/120B IPC and Sections 25/27/54/59 of the Arms Act, 1959 was registered at P.S. Mukherjee Nagar. In the said FIR, it is stated that 6 persons were arrested including one Harsimran @ Badal, a resident of Shalimar Bagh, Delhi and who is currently absconding after jumping bail in many cases pending against him. It is alleged that, on 05.02.2025, the complainant received threat call for extortion from the aforesaid Harsimran @ Badal on his whatsapp. The call was made from an international whatsapp No.+66963056457 and a demand of Rs. 50 Lakhs was made from the complainant with a threat to meet with dire consequences in case the same is not fulfilled.

5. During the course of investigation, it was revealed that the call was made from Thailand and also that the said number was contacted by mobile No. 7399966673 which was found in the name of one Rajan Mishra. On 09.02.2025, Rajan Mishra was arrested and after checking his mobile, it was found that he was in touch with the aforesaid Harsimran @ Badal through the said international number from which the threat calls were made to the complainant. Examination of the phone of the said Rajan Mishra revealed that the photographs of the shop of the complainant was sent by aforesaid Rajan Mishra to Harsimran @ Badal. It is further stated that the said photographs were also sent by said Harsimran @ Badal for the purpose of threatening the complainant.

6. During interrogation, the aforesaid accused Rajan Mishra disclosed that he had done recce of the shop of the complainant and captured the photographs of the same and sent it to Harsimran @ Badal. He also disclosed that he had been receiving extortion money from different people on instructions of the aforesaid Harsimran @ Badal. It is pointed out that the



present applicant had provided the aforesaid international number of Harsimran @ Badal to Rajan Mishra on 05.02.2025 and on the same day, the said extortion call was made by the aforesaid Harsimran @ Badal to the complainant. Relevant portion of the status report filed by the Investigating Officer before learned ASJ is as under: -

“From the investigation conducted so far role of accused **Raj Mishra** is mentioned below:-

1. From the investigation conducted so far he was found actively involved in the conspiracy of present case.
2. He was the one through whom accused Rajan Mishra came in contact with main accused Harsimran@ Badal.
3. On instructions of absconding accused Harsimran @ Badal, **Raj Mishra** used to forward the QR codes/bank details etc. to co-accused Rajan Mishra subsequently Rajan Mishra transferred the amounts in those accounts.
4. From the whats app chats of arrested accused Rajan Mishra it is clear that it was **Raj Mishra** who provided alleged international No . . +66963056457 of Harsimran @ Badal to Rajan Mishra on 05.02.25. After that on the same day Rajan Mishra contacted Harsimran@ Badal on above No. and sent him photographs of the shop of the complainant After that Harsimran @ Badal made threatening calls to the complainant and sent him photographs of the shop to threaten him, which were sent to him by Rajan Mishra
5. Raj Mishra also used to provide Zangi App Nos. of Harsimran @ Badal to Raj Mishra.
6. Raj Mishra also provided the details, mobile Nos. of other co-accused persons to Rajan Mishra on instruction of Harsimran@ Badal.
7. Accused Harsimran@ Badal 1s a very dreaded criminal and there are about 2 dozen cases registered against him of Murders, extortion, attempt to murder & other heinous offences. At present he is at large after jumping of court bail and avoiding trial of cases pending against him. From the investigation conducted so far it is apparent that accused Raj Mishra is a close aid of accused Harsimran @ Badal and actively involved in his syndicate of extortion.

Anticipatory bail application of accused Raj Mishra is strongly opposed on below stated grounds :-

- 1 After gone through his role in the conspiracy of the present case his



custodial interrogation is very much required to un-earth the whole conspiracy and to nab the other possible accused persons behind the syndicate of extortion.

2. His mobile phone which is a crucial evidence in the present case, has to be recovered for the purpose of investigation as all the accused persons used mobile applications to talk with each-other and to pass messages.

3. Other co-accused persons Himanshu and Mayank yet to be arrested and he may help them in absconding.

4. He may help the absconding dreaded criminal Harsimran @ Badal in fulfilling his dangerous intentions, who had attempted to kill the complainant for extortion in 2018 and again extended him life threat for extortion.

5. From the investigation conducted so far it came to view that accused Raj Mishra is one of the close aids of absconding accused Harsimran@ Badal and continuously in touch with accused Harsimran against whom NBWs have been issued by many courts due to his absence during trial. Custodial interrogation of Raj Mishra is also required to nab him to un-earth, how and through whom he got involved in this extortion syndicate of Harsimran @ Badal.

6. If he is granted bail, there is a possibility that the complainant may be attacked again as he was shot earlier in 2018, where FIR No. 675/18 was registered in this regard and some of the accused persons in the present FIR are the same who were also involved in FIR No. 675/18.

7. Accused Raj Mishra has been helping fugitive criminal Harsimran @ Badal and if he is granted bail he must keep his helping hand towards him, which may result in same type of offences.”

7. Learned counsel appearing on behalf of the applicant submitted that during his application seeking anticipatory bail before the learned ASJ, he was given interim protection and had joined the investigation. It is further submitted that he had been arrayed as accused in the present FIR on account of the fact that he is a relative of Rajan Mishra and otherwise, he has no connection with the present case.

8. *Per contra*, learned APP for the State submits that during the course of his investigation, the present applicant did not cooperate and did not provide any explanation as to how the aforesaid international number came to his



knowledge and why he sent it to Rajan Mishra.

9. During the course of arguments, on a pointed query, the learned counsel appearing on behalf of the applicant submitted that he has no instructions as to how the said international number was in knowledge of the present applicant and reason of forwarding it to co-accused, Rajan Mishra. Learned ASJ while dismissing the application for anticipatory bail had also observed that the applicant did not cooperate with the investigation by not providing the mobile containing whatsapp chat between him and co-accused, Rajan Mishra, as well as the sim card in his name.

10. In totality of the facts and circumstances, this Court is of the considered opinion that the custodial interrogation of the applicant is required to unearth the conspiracy in the present FIR.

11. In view of the above, the present application is dismissed and disposed of accordingly.

12. Pending applications, if any, also stand disposed of accordingly.

13. Needless to state that, nothing mentioned hereinabove, is an opinion on the merits of the case and any observations made herein are only for the purpose of the present bail application.

14. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

APRIL 17, 2025/nk

Click here to check corrigendum, if any