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

+ **BAIL APPLN. 2218/2025**

FURKAN @ BALLU @ NAKSHPetitioner

Through: Mr. Amit Khanna, Advocate

versus

THE STATE/GOVT. OF N.C.T. OF DELHI & ORS.Respondents

Through: Mr. Manoj Pant, APP for State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **14.07.2025**

1. By way of this application, the applicant seeks grant of regular bail in case arising out of FIR No. 120/2024, registered at Police Station Wazirabad, Delhi for the commission of offences punishable under Sections 392/394/395/323/342/377/506/120B/412/201/34 of the Indian Penal Code, 1860 [hereafter 'IPC'].

2. Briefly stated, facts of the present case are that the present FIR was registered on 14.02.2024, on the complaint of the complainant, who had stated that about a week prior to the incident, a girl by the name of Priyanshi had started following his Instagram account using the user ID 'vaishuuu_67'. Around 6th–7th February, she had initiated a conversation by messaging him 'Hey', to which he had initially not responded. Subsequently, after she had liked his photograph, he had replied and the two had begun chatting. She had inquired about his occupation and income, and



upon being informed that he ran a jewellery shop, she had shown interest in purchasing a 3-tola gold chain worth ₹1,98,560/-. On 10.02.2024, she had called him *via* Instagram and asked for the chain to be delivered to her residence in Sangam Vihar on a cash-on-delivery basis. After repeated requests, and assurances that she had the full amount, the complainant had agreed to deliver the chain himself after closing his shop at 9 PM. Upon reaching the location around 10:30–11:00 PM, he had stopped 500 meters short and called the girl, who had come along with her roommate and asked him to take the car to their room to complete the transaction. Once inside the flat, which had appeared suspiciously empty, he had been asked to show the chain. As he did so, three boys had suddenly entered the room, shut the door, and assaulted him using an iron rod and physical force, while loud music had been played on a Bluetooth speaker. One of the boys had strangled him, and the two girls had forcibly snatched the gold chain from his neck. It was further alleged that those five had together taken off the clothes of the complainant and had made him completely naked, and had hit his private parts with kicks, rod and tried to insert an object inside his private part. After that, the complainant had pleaded with them to let him go, but all five assailants had continued to beat him. During this, one of the girls had begun recording a video on her mobile phone, falsely alleging that the complainant had attempted to rape her. Thereafter, they had demanded ₹10 lakhs from the complainant, and upon his refusal, they had intensified the beating. They had forcibly taken three rings from his hand, his wallet, his mobile phone, and car keys from his trousers. One of the boys, described as the tallest among them, had again started recording a video, this time coercing the complainant to engage in indecent acts involving his private



parts. The complainant, out of extreme fear, had not complied, which had prompted further physical assault. Following this, they had issued death threats, stating that if ₹10 lakhs were not paid, they would kill him, burn his body, and dispose of it, claiming that no police officer would act against them as even the SHO and DCP were under their control. Out of fear, the complainant had assured them that he would arrange for money and had then been allowed to use his phone, which they had placed on speaker mode. He had called his childhood friend M and asked for ₹10 lakhs. Upon being told that M could only arrange ₹1 lakh, the complainant had been instructed to send the money to a specific bank account- Account No. 50100427126111 in the name of Deepu Rana. Mayank had transferred ₹43,500 and ₹6,500 to that account, and later, ₹50,000 more to the complainant's own UCO Bank Account No. 34240110004951. Following that, Priyanshi and one of the boys had taken the complainant's ATM card, withdrawn ₹25,000 from an ATM, and returned. Thereafter, they had made the complainant sign on a blank piece of paper and had taken his thumb impression. One of the boys had taken the car keys to inspect the vehicle and had later returned, claiming nothing was found. Then, Priyanshi had stated that "our work is done now," after which all five of them had issued threats, warning the complainant not to approach the police or anyone else. They had threatened to publish his videos on pornographic websites and social media platforms to ruin his life. In fear, the complainant had promised silence. Subsequently, they had returned his phone and car keys, and upon checking the time, he had seen it was 2:50 AM. On unlocking his phone, he had discovered that all messages, call logs, contacts, and chats with Priyanshi on WhatsApp and Instagram had been deleted. Two of the boys



had then helped him get dressed and had walked him out while hurling threats that his video would go viral if he spoke about the incident. They had left him 200 meters away from his car and had fled. The complainant had somehow managed to reach his car and return home. On these allegations, the present FIR had been registered. The applicant Furkan was arrested in relation to the present case on 29.02.2024.

3. The learned counsel for the applicant argues that the applicant has been falsely implicated in the present case, at the instance of the complainant. It is submitted that the applicant has no connection whatsoever with the alleged offence mentioned in the FIR. It is further argued that there is an unexplained delay of approximately four days between the alleged incident and the registration of the FIR, which casts serious doubt on the veracity of the allegations. The learned counsel contends that the rent agreement relied upon by the prosecution bears no connection with the applicant and does not bear his signature. The investigation *qua* the applicant stands concluded and charges have already been framed, and thus, custodial interrogation of the applicant is no longer required. It is submitted that the applicant is a young man aged about 26 years, having clean antecedents, and that no useful purpose would be served by keeping him in prolonged judicial custody, especially when the trial is still at its initial stage and is likely to take considerable time to conclude.

4. The learned APP for the State opposes the bail application, submitting that the applicant is actively involved in a serious and well-planned offence of wrongful confinement, assault, extortion, and criminal intimidation. It is argued that the applicant was correctly identified by the complainant during TIP proceedings and played a key role in executing the



criminal conspiracy. It is also submitted that the nature and gravity of the offence, including threats of public defamation through obscene videos and extortion of money, reflect a deep criminal intent. Therefore, it is prayed that the present bail application be dismissed.

5. This Court has **heard** arguments addressed by learned counsel for the applicant and the learned APP for the State, and has perused the material on record.

6. The allegations against the present applicant/accused, in brief, are that he, along with co-accused persons, had called the complainant to a flat on the pretext of a meeting, where he was stripped of his clothes, physically as well as sexually assaulted, and filmed in obscene positions, and subsequently extorted for money under threats of public humiliation and death. It is further alleged that the accused persons had forcibly withdrawn money using the complainant's ATM card, and also obtained transfers from his friend into an account allegedly connected to one of the accused persons.

7. This Court notes that the material collected so far, including statements of the complainant and preliminary electronic and bank records, *prima facie* support the allegations and indicate the applicant's involvement in a coordinated criminal conspiracy to extort and humiliate the complainant through violence, digital exploitation, and blackmail.

8. This Court notes that the complainant had duly identified the present applicant/accused in the Test Identification Parade. The contentions raised by the applicant that the rent agreement relied upon by the prosecution is fabricated and bears no connection to the applicant relate to disputed questions of fact which are to be adjudicated during trial and cannot be adjudged at this stage.



9. It is well settled that at the stage of considering bail, a detailed scrutiny of the evidence is neither warranted nor permissible. The Court is only required to examine whether a *prima facie* case is made out against the applicant, and whether, considering the nature and gravity of the offence, release on bail would be appropriate. In the present matter, this Court finds that the allegations are not only serious, but also indicative of a pre-planned act involving elements of criminal intimidation, grievous physical assault, sexual abuse, extortion, and use of electronic means to humiliate and blackmail the victim/complainant. Further, the victim also alleged that at the time of commission of offence, the present applicant had placed his arm around the victim's neck and shoved him on the ground, and thereafter, the applicant alongwith co-accused persons had beaten the victim.

10. The trial in the present case is at a nascent stage, and the evidence of prosecution witnesses is yet to be recorded. Considering the serious nature of allegations, the specific role ascribed to the applicant, and the identification of the applicant during TIP proceedings, this Court finds no ground to exercise discretion in favour of the applicant.

11. The present application for regular bail is, thus, dismissed.

12. It is clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 14, 2025/vc