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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2263/2025 & CRL.M.A. 18095/2025

ARJUN

.....Applicant

Through: Mr. Sandeep Sharma, Mr.
Varun Kumar & Ms.,
Kavya Dauk, Advs.

versus

STATE (GOVT OF NCT OF DELHI)Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State.
SI Nitin, PS Harsh Vihar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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11.08.2025

1. By the present bail application, the applicant seeks pre-arrest bail in FIR No. 40/2025 dated 08.01.2025, registered at Police Station Harsh Vihar, for offences under Sections 308(2)/127(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

2. The FIR was registered on a complaint alleging that the accused Ankit, who had met the complainant through a dating app called 'Tinder', lured the complainant to accompany him to a house where four more accused persons joined him. It is alleged that the accused persons took the complainant's mobile phone and transferred approximately ₹1.25 lakh from his account.

3. The house where the incident took place is stated to have been taken on rent by the applicant.

4. As noted in the order dated 04.07.2025, the complainant in this case has concededly not named the applicant as one of the persons who was involved in extorting the money.

5. It is argued on behalf of the applicant that the keys of his rented house had been taken by one of the co-accused persons

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from him, who was known to the applicant. It is further argued that the CDR connectivity between the applicant and some of the co-accused persons is also on account of their acquaintance.

6. *Prima facie*, at this stage, the possibility of the applicant being ignorant of the alleged ploy of the accused persons to lure the complainant to his rented house and extort money from him cannot be ruled out.

7. It is also stated that the applicant has joined the investigation pursuant to being granting interim protection by order dated 04.07.2025.

8. It is not in doubt that order for grant of bail cannot be passed in a routine manner so as to allow the accused to use the same as a shield. At the same time, it cannot be denied that great amount of humiliation and disgrace is attached with the arrest. In cases where the accused has joined investigation, is cooperating with the Investigating Agency and is not likely to abscond, the custodial interrogation should be avoided.

9. The purpose of custodial interrogation is to aid the investigation and is not punitive.

10. The investigation is complete and the chargesheet has already been filed.

11. In such circumstances, in the opinion of this Court, the applicant is entitled to grant of pre-arrest bail.

12. In view of the above, in the event of arrest, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with two sureties 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, if required, as and when directed by the IO;
 - b. The applicant shall not leave the country without the prior permission of the learned Trial Court;
 - c. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
 - d. The applicant shall appear before the learned Trial Court as and when directed;
 - e. The applicant shall provide the address where he is residing and shall not change the address without informing the concerned IO/SHO;
 - f. The applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
13. In the event of there being any violation of the stipulated conditions, it would be open to the State to seek redressal by filing an application seeking cancellation of the bail.
14. It is clarified that the 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 should not be taken, as an expression of opinion, on the merits of the case.
15. The present bail application is allowed in the aforesaid terms.

AMIT MAHAJAN, J

AUGUST 11, 2025

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