



\$~4 & 5

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

+ BAIL APPLN. 2351/2025 & CRL.M.A. 18713/2025,
CRL.M.A. 18714/2025 & CRL.M.(BAIL) 1386/2025

RUBIApplicant

Through: Mr. Liaqat Ali, Adv.

versus

STATE OF NCT OF DELHIRespondent

Through: Ms. Richa Dhawan, APP
for the State with SI
Jitendra Yadav and HC
Hetram, PS Mohan
Garden.

Mr. Shashank Kumar and
Mr. Sanjay Sharma, Adv.
for the complainant.

+ BAIL APPLN. 2763/2025 & CRL.M.A. 21518/2025,
CRL.M.A. 21519/2025, CRL.M.A. 21520/2025

JAHIDApplicant

Through: Mr. Liaqat Ali, Adv.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Jitendra Yadav and HC
Hetram, PS Mohan
Garden.

Mr. Shashank Kumar and
Mr. Sanjay Sharma, Adv.
for the complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

18.08.2025

%



1. The present applications are filed seeking pre-arrest bail in E-FIR No. 80025803/2025 dated 08.03.2025, registered at Police Station Mohan Garden, for the offence under Section 305 of the Bharatiya Nyaya Sanhita, 2023.
2. The FIR was registered pursuant to an allegation of theft. The complainant alleged that his daughter/applicant – Rubi along with the applicant – Jahid had committed a theft of ₹3,50,000/- from the complainant's house and had also stolen a mobile phone and some jewellery.
3. By order dated 04.07.2025, the applicant – Rubi and the complainant were directed to appear before the Delhi High Court Mediation and Conciliation Centre to make endeavours for an amicable resolution.
4. It is stated that the mediation has failed.
5. As noted above, the complaint was given by the father of the applicant – Rubi. The complainant now wants his daughter and her husband to be subjected to custodial interrogation. The complainant has alleged that certain amount has been taken by the applicants unauthorisedly.
6. The applicants though claimed that the amount was given to them on different dates considering the relationship between the parties and also that certain work was being carried out by the applicant – Jahid, for which the amount was a consideration. Whether the said amount was given in relation to some work or was taken unauthorisedly, would be the subject matter of trial and ought not to be commented upon at this stage.
7. It is however undisputed that the applicants are married to



each other against the wishes of the complainant which led to the present dispute being escalated.

8. It is also relevant to note that the applicants had also approached the Hon'ble High Court of Punjab and Haryana seeking protection of their life and liberty.

9. The petition filed before the Hon'ble High Court of Punjab and Haryana was disposed of directing the Police Authorities to decide the representation and grant them protection if there is any threat to their life and liberty.

10. The applicant – Rubi and the applicant – Jahid were granted interim protection by this Court by orders dated 04.07.2025 and 28.07.2025 respectively. It is stated that the applicants have since joined the investigation.

11. Therefore, in the opinion of this Court, the custodial interrogation of the applicants is not required.

12. In view of the above, the present applications are allowed and the applicants, in the event of arrest, are directed to be released on bail on furnishing personal bond for a sum of ₹20,000/- each with two sureties each of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The applicants shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicants shall not leave the country without the prior permission of the learned Trial Court;
- c. The applicants 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 applicants shall appear before the learned Trial Court as and when directed;

e. The applicants shall provide the address where they would be residing after their release and shall not change the address without informing the concerned IO/SHO;

f. The applicant shall give their mobile numbers to the concerned IO/SHO and shall keep their mobile phones 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 file an appropriate application seeking modification / recall of the present order.

14. It is clarified that the observations made in the present order are for the purpose of deciding the present pre-arrest 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.

16. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

AUGUST 18, 2025

'KDK'