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

+ CRL.M.C. 4552/2025, CRL.M.A. 19819-19820/2025

VIKAS MADAN

.....Petitioner

Through: Mr. Harshith Pottangi, Ms. A. Arora,
Advocates

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Mukesh Kumar, APP for State
Mr. Aditya Dhawan, Ms. Kiran
Dhawan, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

14.07.2025

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1. The present petition filed under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (Corresponding to Section 439(2) of then Code of Criminal Procedure, 1973²) for cancellation of bail granted to Col. Vedvrat Vaidya (Respondent No. 2) by the Court of Metropolitan Magistrate, East District, Karkardooma Courts, Delhi by order dated 18th May, 2024³, in the proceedings emanating from FIR No. 2354/2014 dated 12th November, 2014, registered under Sections 420, 468, 471 and 120B of the Indian Penal Code, 1860⁴ at P.S. Shakar Pur, Delhi. A chargesheet *qua* Respondent No. 2, registered under Sections 420, 406, 448, 380, 506, 120B

¹ "BNSS"

² "CrPC"

³ "impugned order"

⁴ "IPC"



and 34 of IPC, had been filed on 3rd November, 2023.

2. Counsel for the Petitioner submits that the impugned order is unreasoned and, therefore, liable to be set aside. It is contended that the Trial Court ought to have examined the role of Respondent No. 2 in greater detail. According to the Petitioner, Respondent No. 2 neither cooperated with the investigation nor responded to specific queries raised by the Investigating Officer regarding the money trail and other documents.

3. It is noted that the aforesaid FIR, registered on 12th November, 2014, against Respondent No. 2, pertains to a collaboration agreement dated 7th February, 2008, executed between the Complainant and the co-accused, Bharat Vaidya. As per the prosecution, Respondent No. 2 was called upon to join the investigation, to which he complied. Subsequently, upon conclusion of the investigation on 3rd November, 2023, nearly a decade later, a chargesheet was filed without effecting arrest of Respondent No. 2. When the Trial Court took cognizance of the offences and issued summons, Respondent No. 2 appeared before Trial Court and applied for bail, which was granted.

4. Now that the investigation is complete and the chargesheet has been filed, proceedings have commenced on that basis and thus, in the opinion of the Court, taking Respondent No. 2 into judicial custody at this stage would serve no useful purpose. Respondent No. 2 has already furnished a bail bond and has been appearing before the Court. The purpose of granting bail, as has been established through a catena of judgments by the Supreme Court, is neither punitive nor preventative. The primary aim sought to be achieved by



bail is to secure the attendance of the accused person at the trial.⁵ It must also be noted that the Sessions Court also considered the facts of the case and found no reason for taking Respondent No. 2 into judicial custody.

5. In light of the foregoing, the Court finds no reason to entertain the present petition.

6. Dismissed along with pending applications.

SANJEEV NARULA, J

JULY 14, 2025/ab

⁵ See also: *Sanjay Chandra v. CBI* (2012) 1 SCC 40; *Satender Kumar Antil v. Central Bureau of Investigation* (2022) 10 SCC 51.