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

+ **BAIL APPLN. 2625/2025 & CRL.M.A. 20500/2025**

CHANDAN THAPA

.....Petitioner

Through: Mr. Rahul Khanna, Advocate

versus

STATE GOVT OF N.C.T. OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with SI Raju Singh, P.S.
Roop Nagar.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

10.09.2025

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1. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of e-FIR bearing no. 80040673, registered at Police Station Roop Nagar, Delhi for the commission of offence punishable under Section 305 of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').

2. Briefly stated, the facts of the present case are that a complaint was received in this case informing the police that the accused, who was working in the morning shift in the company as team leader and also used to work as delivery boy, had misappropriated Rs.3 lakhs and some delivery parcels. He was missing from the office and despite one of the senior officers of the company, calling him, he was neither picking up their phone calls nor was replying to their messages even after reading the WhatsApp messages.



3. The learned counsel appearing on behalf of the applicant argues that the applicant has been falsely implicated in the present case. It is also argued that there is no incriminating material available on record against the applicant to connect him with the alleged offence. It is also the argument of the learned counsel for the applicant that the applicant was only a contractual employee and the keys of the drawer in question, from which the money was allegedly stolen, were also with another manager. It is also argued that there is a delay of three days in lodging the complaint. Therefore, it is prayed that the applicant be granted anticipatory bail.

4. The learned APP for the State, on the other hand, argues that the present accused/applicant can be seen switching off the CCTV camera before removing the cash from the drawer. It is argued that the custodial interrogation of the applicant is required. Therefore, it is prayed that the present application for grant of anticipatory bail be rejected.

5. This Court has heard arguments addressed on behalf of the applicant as well as State and has perused the material available on record.

6. After hearing arguments and going through the case file as well as the statement of the witnesses recorded under Section 161 of Cr.P.C., this Court is of the opinion that that as per record, the accused can be seen in the CCTV footage, handed over to the Investigating Officer (IO), switching off the CCTV camera at about 12:45 am. The IO has filed on record the details of the amount received which was kept in the drawer in question in the office.

7. As per record, WhatsApp chat exchanged between the accused and one of the managers of the company mentioned that the accused had admitted to having taken the money and admittedly had assured that he will



return the money to them and he was making arrangements for the same.

8. It is also on record that the present accused/applicant had taken away 65 parcels as he was also working as a delivery boy, details of which have also been mentioned in the reply to the bail application and as per the statements recorded by the IO.

9. Considering the aforesaid facts and circumstances, this Court is of the view that the custodial interrogation of the present accused is required for recovery of the cash as well as the 65 parcels which have been taken by the accused and not being returned to the employer company, therefore, no ground for grant of anticipatory bail is made out.

10. Accordingly, the present application stands dismissed.

11. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 10, 2025/zp