



\$~3

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2667/2025 & CRL.M.A. 20731/2025**
KUSH VERMAPetitioner

Through: Mr. Rajeev Kumar, Ms. Priya Singh
and Mr. Sanjay Tyagi, Advocates.

versus

THE STATE NCT OF DELHIRespondent
Through: Mr. Mukesh Kumar, APP.
SI Sachin Mudgal, P.S. Karol Bagh.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
27.08.2025

%

1. The present application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (corresponding to Section 482 of the Code of Criminal Procedure, 1973²) seeks pre-arrest bail in the proceedings arising out of FIR No. 839/2025, registered under Sections 318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023³ at P.S. Karol Bagh, Delhi.

2. Taking note of the factual background, the Court had granted interim protection to the Applicant, *vide* order dated 21st July, 2025, while directing him to join the investigation. Paragraph Nos. 5 and 6 of the said order, read as follows:

“..XX.. ..XX.. ..XX..

5. *The aforesaid FIR has been lodged on a complaint made by Pradeep Roy against Rajendra Sharma, Digvijay Kaura @ Vishu and*

¹ “BNSS”

² “CrPC”

³ “BNS”



Rajesh Kumar Jaishwal wherein it was alleged that Rajendra Sharma along with Rajesh Kumar Jaishwal gained the trust of the Complainant and thereafter, gold was sold to them on the assurance that the payments made by them through cheques would be duly honoured. However, when the cheques were presented, the same were dishonoured on account of insufficient funds in the bank account. During investigation, Digvijay Kaura @ Vishu disclosed that the gold received from the Complainant was handed over to the Applicant.

6. *Counsel for the Applicant states that the Applicant is willing to cooperate in investigation. Considering the above, it is directed that the Applicant shall appear before the Investigating Officer tomorrow at 4:00 PM. In the meantime, no coercive steps shall be taken against the Applicant, subject to the Applicant joining the investigation as and when directed by the Investigation Officer. It is also directed that the applicant shall not leave GNCTD without prior permission of the Trial Court.”*

3. In compliance with the aforementioned directions, the Applicant had appeared before the Investigating Officer.

4. Mr. Mukesh Kumar, APP for the State, submits that the investigation is now almost complete and the chargesheet shall be filed shortly. The Applicant's presence is no longer necessary.

5. The Court has considered the facts of the case and the submissions advanced. It is well established through catena of judgments by the Supreme Court that the object of granting bail 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.⁴

6. In view of the foregoing, the application is, therefore, allowed. The Applicant, in the event of arrest, is directed to be released on bail on furnishing a bail bond for a sum of INR 25,000/- with two sureties of the

⁴ See also: **Sanjay Chandra v. CBI**, (2012) 1 SCC 40; **Satender Kumar Antil v. Central Bureau of Investigation**, (2022) 10 SCC 51.



like amount subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The Applicant shall join and cooperate with the investigation as and when directed by the IO;
 - b. The Applicant shall not leave the boundaries of the country without informing the IO/ SHO concerned;
 - c. The Applicant shall not contact the witnesses or tamper with the evidence in any manner;
 - d. The Applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
7. In the event of there being any FIR / DD entry / complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.
8. It is clarified that any 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 also not be taken as an expression of opinion on the merits of the case.
9. Accordingly, the present application is disposed of along with any pending application(s).

SANJEEV NARULA, J

AUGUST 27, 2025

as