



\$~10

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

+ **BAIL APPLN. 2797/2025**

VINAY

.....Petitioner

Through: Mr. Pradeep Chaudhary, Mr. Lalit
Kumar Bhati, Advocates.

versus

STATE GNCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP for the State
along with SI Rahul, PS Model Town,
SI Virender Kumar, Traffic Lines.
Mr. Deepak Verma, Mr. Chaitany
Sharma, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

25.08.2025

%

1. The applicant is before this Court having remained under incarceration since 09.01.2025, for a period of 7 months and 16 days, seeking indulgence of this Court for grant of bail during pendency of the trial in criminal proceedings arising out of FIR No. 375/2024 dated 06.06.2024 for alleged offences under Sections 393, 398, 308, 120B, 34 of the IPC and Section 27 of the Arms Act, 1959 and registered at Police Station Police Station Model Town.

2. Briefly speaking, per FIR, the case set up by the prosecution/complainant is that the complainant, Ranbeer Rajput, a real estate agent, stated that he has known Naman Jain for 11–12 years. Naman,



who had returned from Ukraine due to the war, advised him to get into cryptocurrency dealing and promised him commission. Through his acquaintance Rahul Jha, Ranbeer was introduced to Kapil, who claimed to deal in cryptocurrency.

2.1 About 6–7 days prior, Ranbeer and Naman met Kapil near DAV School, Model Town, Delhi, where Kapil told them that transactions would involve first counting money and then transferring cryptocurrency. On 04.06.2024, Kapil again called them to Model Town. Naman and Ranbeer reached Queens Mary School, where three boys on a motorcycle arrived. One of them, known as Dipanshu (introduced as Kapil's younger brother), along with another boy, sat in their car.

2.2 During a WhatsApp call with Kapil, Dipanshu asked Naman to show the money. Naman counted ₹3.5 lakhs and handed it over to Dipanshu. While Kapil assured them of transferring USDT/Bitcoin, Dipanshu suddenly tried to escape. His accomplices threatened them, one even aiming a pistol at Naman while shouting to kill him. A scuffle ensued between Naman and Dipanshu, during which Dipanshu attacked Naman with a weapon.

2.3 Ranbeer, driving the car, tried to save Naman. In the struggle, Naman managed to retrieve the bag containing the money. The accused, however, fled towards Azadpur on their motorcycle. Ranbeer then took the injured Naman to the hospital.

3. In the aforesaid backdrop, I have heard the rival contentions and perused the case file.

4. Learned counsel for the applicant would argue on lines of grounds pleaded in the petition *inter alia* urging as below:-



4.1 That the Applicant is innocent and has been falsely implicated in the present case. He has no connection with the main accused persons or with the alleged conspiracy, as is evident from the material placed on record.

4.2 That as per the prosecution's own case, the prime role has been attributed to co-accused persons namely Kunal, Gaurav and Dipanshu, who are alleged to have assaulted the complainant Naman Jain and taken away the bag. The disclosure statements as well as CCTV footage do not attribute any overt act to the present Applicant.

4.3 That it is specifically mentioned in the disclosure statements of co-accused Gaurav and Neeraj that it was Kunal who inflicted injuries on Naman Jain. Hence, the allegation of assault does not stand against the present Applicant.

4.4 That the CCTV footage relied upon by the prosecution shows the present Applicant merely standing near his motorcycle, whereas the footage of assault clearly depicts Gaurav beating the complainant. Thus, the Applicant's presence is not sufficient to implicate him without any corroborative role.

4.5 That although the complainant Naman Jain has identified the Applicant, he has not attributed any specific role to him in the incident. Such a vague identification, without any allegation of overt act, cannot be a ground for continued incarceration.

4.6 That during the course of investigation, the charge sheet has already been filed and the Applicant's further custodial interrogation is not required. The trial is likely to take considerable time; therefore, continued detention of the Applicant would amount to pre-trial punishment.



4.7 That it is relevant to highlight that the main assailants and kingpins, namely Tarandeep and Rahul, have already been admitted to bail. On the principle of parity, the Applicant also deserves the concession of bail.

4.8 That the Applicant has been in judicial custody since 09.01.2025 and has undergone substantial period of incarceration, whereas the trial has not commenced effectively.

4.9 That the Applicant is a law-abiding citizen having deep roots in the society and there is no likelihood of his absconding or tampering with the evidence. He undertakes to abide by all conditions that may be imposed by this Court.

4.10 That it is settled law that bail is the rule and jail is an exception, particularly when investigation is complete, charge sheet is filed, and no specific role is attributed to the accused. Continued detention serves no fruitful purpose. The Applicant is ready and willing to furnish sound sureties and comply with any stringent condition deemed fit by this Court.

5. Opposing the above submissions, the learned APP for the State argues that the applicant is not entitled to any relief at this stage, the allegations against the present petitioner are of a very grave nature.

5.1 That the FIR dated 06.06.2024 was registered on the basis of information regarding a robbery and stabbing incident, wherein the victim sustained grievous injuries including stab wounds on the thorax and head, and was referred to Sir Gangaram Hospital for surgery.

5.2 During investigation, it was revealed that this was not an isolated act but part of a pre-planned criminal conspiracy executed by a gang led by kingpin Tarandeep Singh @ Taran Chopra, who routinely orchestrated such criminal activities under the guise of cryptocurrency transactions.



5.3. Moreover, the petitioner's release poses a high likelihood of influencing key witnesses, including complainant Rajbeer and victim Naman Jain; therefore, considering the gravity of the offence, seriousness of injuries, corroborative evidence on record, and the gang's antecedents, the petitioner is not entitled to bail.

6. I have heard the submissions of both sides and am of the considered view that the applicant deserves to be released on bail during the pendency of the trial. The applicant has already remained in custody for approximately 7 months, and the trial is moving at a snail's pace. This prolonged pre-trial detention, coupled with the slow progress of proceedings, are contributory factors in favour of granting bail.

7. Further incarceration would serve no useful purpose, as the trial is unlikely to conclude in the near future, and continued detention would amount to punitive confinement before conviction, contrary to the settled principle that bail is the rule and jail the exception, especially when the applicant is neither a flight risk nor a threat to the fairness of the trial.

8. As regards the apprehension of tampering with evidence, it is pertinent to note that the material evidence has already been seized and is securely in the custody of the prosecution, rendering such apprehension illusory. One of the primary objects of bail is merely to secure the presence of the accused during trial. The applicant has been in custody since 09.01.2025, has cooperated throughout the investigation, and there is nothing to suggest that he would abscond, interfere with evidence, or influence witnesses.

9. My attention has been drawn to the bail order dated 19.12.2024(Gaurav @ Vicky) passed by this Court and subsequent bail orders dated 09.07.2024 (Rahul), 12.07.2024 (Tarandeep Singh), 03.08.2024



(Neeraj Fulara), passed by the learned Trial Court which reflect that the co-accused would be attributed similar role as the petitioner herein have been granted the concession of bail. I am of the view that no useful purpose would be served to keep the applicant in custody since the trial is moving at the snail's pace and that apart he is otherwise also entitled to parity. Accordingly, the applicant is admitted on bail.

10. Accordingly, applicant is directed to be released on bail on furnishing of bail bond and surety to the satisfaction of the learned Trial Judge/Duty Judge as the case may be and subject to the usual conditions to be imposed by the learned trial Judge/Duty Judge.

11. Nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same is only for the purpose of the disposing of the present bail application.

12. Accordingly, the bail application stands disposed of.

ARUN MONGA, J

AUGUST 25, 2025/rs/nk