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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2902/2025 & CRL.M.A. 22581/2025

SUNEET AGGARWAL

.....Petitioner

Through: Mr. Ramesh Gupta, Sr.
Adv. along with Ms. M.
Begum, Ms. Avneet Kaur,
& Mr. Sumit Singh, Advs.

versus

**THE STATE NCT OF DELHI THROUGH SHO PS
KOTWALI**

.....Respondent

Through: Mr. Raj Kumar, APP for
the State.
SI Sanjay, PS Kotwali
Delhi.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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09.09.2025

1. The present application is filed by the applicant seeking regular bail in FIR No.53/2000 dated 30.01.2000, registered at Police Station Kotwali for offences under Sections 365A/341/342/323/506/34 of the Indian Penal Code, 1860 ('IPC'). Chargesheet has been filed under Sections 365/341/342/323/506/34 of the IPC.
2. The FIR was registered on an allegation that one person namely, Shree Nath Yadav was abducted and threatened by the applicant and the other co-accused persons. FIR was registered way back on 30.01.2000. The applicant was thereafter arrested on 03.02.2000. Undisputedly, the applicant was admitted on bail by the learned Trial Court by order dated 23.02.2000.
3. Subsequently, the applicant after being admitted on bail stopped appearing before the learned Trial Court which led to



initiation of proceedings under Section 82 of the Code of Criminal Procedure, 1973 ('CrPC'). The applicant, thereafter, was again arrested on 05.07.2025 and is in custody since then.

4. The learned Senior Counsel for the applicant submits that the applicant had at some stage shifted to Mumbai. He submits that the Advocate, who had been representing the applicant at that stage, had informed the applicant that he would be informed through a Court Notice as and when he is required to appear before the Court. He submits that this led to the absence of the applicant before the learned Trial Court.

5. He further submits that the co-accused persons namely, Puneet Agarawal and Vineet Agarawal have already been admitted on bail by this Court by order dated 25.04.2024, who had also not been appearing before the learned Trial Court after being released on bail and the applicant is entitled for being released on parity.

6. It is undisputed that the applicant had already been admitted on bail by the learned Trial Court. The present custody of the applicant is in regard to the applicant not appearing before the Court and being declared as Proclaimed Person.

7. It is, however, important to note that in the present case the victim, on whose complaint the FIR was registered, has already expired and was never examined by the learned Trial Court. The only public witness, namely, Ram Gopal was not traceable till some time back and his statement was finally recorded on 01.02.2025 and he has not supported the case of the Prosecution.

8. In such circumstances, when the victim was never examined and the sole witness who has also not supported the case of the prosecution, the likelihood of applicant being



convicted for the offences is bleak. The applicant is also stated to have since moved on in the life and at this stage is married with a minor child to be taken care of.

9. The applicant, though, had not appeared before the learned Trial Court, however, appears to have deep roots in the society being permanent residence of Gurugram.

10. In view of the above, without commenting further on the merits of the case, in peculiar facts as noted above, the applicant is directed to be released on bail on furnishing a personal bond for a sum of ₹20,000/- with two sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. The applicant 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;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

11. In the event of there being any FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent



to seek redressal by filing an application seeking cancellation of bail.

12. 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.

13. The bail application is allowed in the aforementioned terms. Pending applications also stand disposed of.

AMIT MAHAJAN, J

SEPTEMBER 9, 2025

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