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

\+ BAIL APPLN. 3127/2025, CRL.M.A. 24245/2025

DEEPAK GOYAL .....Petitioner

Through: Mr. Vikram Aggarwal and Mr. Pushpendra, Advs.

versus

STATE THROUGH SHO P.S.TIMARPUR .....Respondent

Through: Mr. Utkarsh, APP for the State. Mr. Anant Gautam, Mr. Rishi Chauhan, Mr. Hanu Parashar, Advs. for Complainant.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% **14.10.2025**

1. First Bail Application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 ('BNSS') has been filed on behalf of the Petitioner seeking Bail in FIR No.0156/2022 under Sections 420/468/471/120B IPC, registered at P.S. Timarpur.

2. It is submitted in the Bail Application that as per the allegations of Complainant Allahabad Bank, Timarpur, Delhi in the month of September, 2015, a Car loan of Rs.18,00,000/- to purchase Mercedes Benz C-220 CDI CKT was taken by co-accused Vinay Aggarwal, for which other co-accused Ravi Gupta stood as guarantor. However, the car was not purchased, even though the DD was en-cashed in one different account in HDFC Bank, Pitampura, Delhi and the said amount was siphoned off and Rs.17,56,000/- was outstanding as on 24.01.2018.

3. The Complainant had filed Application under Section 156(3) Cr.P.C., on which, on directions issued by learned MM to register FIR, present FIR No.156/2022 under Sections 420/468/471/120B IPC was registered at PS: Timarpur, Delhi. Applicant was not even named or arraigned as the accused in the FIR, but only Vinay Aggarwal, Ravi Gupta and HDFC Bank, Pitampura Branch, Kohat Enclave, Delhi and one M/s T&T Motors GA were arraigned as accused.

4. The Applicant was formally arrested on 28.08.2024 from the JC, as he was already in custody in some other case. Police sought his remand stating same old typical reasons for the arrest. However, he was neither informed about the reasons for arrest nor the same were conveyed to him.

5. Arrest of the Applicant was illegal, as Orders of Hon'ble Supreme Court and mandates under Section 41A Cr.P.C. were not followed by the IO and there was no need for his arrest, as his involvement could have been investigated without arresting him.

6. On 16.07.2024, the main accused Chanchal Goyal (wife of Applicant) was granted Regular Bail in FIR No.0155/2022 on deposit of Rs.9,12,500/-, i.e. half of the principle loan amount, by way of Demand Draft. On 01.10.2024, Bail Application filed by the Applicant was dismissed by the learned MM. Thereafter, on 11.11.2024, he filed Bail Application before the learned Sessions Court, which was also dismissed as withdrawn with liberty to file again as his counsel was suffering from Chikunguniya and was not in position to argue the same.

7. Applicant's Bail Application was dismissed by learned ASJ on 10.12.2024 stating that the Complainant Bank had no Objection for grant of Bail to the Petitioner, in case he deposits Rs.49,00,000/- in all three FIRs, including the present FIR, before his release, though the Petitioner was ready to deposit Rs.30,00,000/- as total amount credited in his account was Rs.33,00,000/-. Learned Sessions Judge dismissed the Bail Application by recording reasons that the Petitioner is involved in 17 similar cases and he has tendency to commit similar offences, if released on Bail.

8. Applicant states that he is on Bail in all other cases except the present FIR and two FIRs filed by the same Complainant in which he is filing Bail Applications and one more FIR in which his Bail Application is pending before this Court.

9. Applicant states that he is judicial custody since 10.09.2020 and he was deliberately arrested on 28.08.2024 in present cases to make his custody in the present case less, though he has been in custody since last 5 years. He is completely innocent and has been made as scapegoat despite the fact that there is no involvement at all in the Application filed for the alleged loan and or in disbursement of loan or in siphoning of the loan amount.

10. Bank officials of the Complainant Bank have themselves falsely attested the signature of the Applicant and are culpable and criminally liable, who in order to save their skin, have implicated him falsely.

11. The Applicant has been appearing regularly in other cases, there is no substance in the argument that he would flee from the justice. The investigation revolves around the documentary evidence, which cannot be tampered by the Applicant. Moreover, this case was registered in the year 2022 and he was arrested only on 28.08.2024, i.e. after about three years ago. There are no allegations of the Applicant having tried to tamper with the evidence. Investigations have been complete and Chargesheet was filed in October, 2024. No fruitful purpose would be served keeping him in judicial custody. Prayer is therefore, made that he be granted Bail.

12. ***Status Report filed on behalf of the State today in the Court be taken on record***, wherein it is stated that present case pertains to cheating of Rs.18,25,000/- taken as loan for purchase of a car. The amount was disbursed by HDFC Bank, Pitampura, Delhi in the account of T&T Motors, Aram Nagar Part-1, Mumbai. The account was opened by Aruni Tripathi. Thereafter, the cheated amount was transferred in the account of Smt. Santosh Goyal (Applicant's mother).

13. After trailing the money, it was found that the cheated amount of Rs.13,50,000/- has been transferred to the account of Deepak Goyal (Petitioner herein). During investigations, several visits were made at the addresses of co-accused Vinay Aggarwal and Ravi Gupta, but there whereabouts could not be ascertained. A raid was also conducted at Aram Nagar Part-1, Mumbai to trace the accused Aruni Tripathi. It was found that neither she resided at the given address nor T&T Motors was opened there.

14. On 28.08.2024, the Applicant was interrogated and formally arrested in Tihar Jail Complex. However, he did not cooperate in the interrogation and did not disclose about the whereabouts of co-accused Vinay Aggarwal, Ravi Gupta and Aruni Tripathi.

15. The Chargesheet has already been filed in the Court. The Applicant is involved in 20 cases, detail of which has been mentioned in the Status Report. Bail is opposed on the ground that there is strong apprehension that the Applicant may jump the Bail and his presence would not be ensured before the Court.

16. **Learned counsel for the Complainant**, on instructions, submits that the Applicant was beneficiary of Rs.13,25,000/-. As per the investigations, earlier Bail Application filed by him was withdrawn on 17.09.2025, as this

Court was not inclined to grant the Bail. It is further submitted that he has no objection if Bail is granted, in case, the Applicant is deposits principle amount of Rs.18,25,000/-.

17. **Learned counsel for the Applicant** submits that he has no objection in depositing Rs.13,50,000/-, which was received in his account.

Submissions heard and record perused.

18. The allegations made in the FIR are essentially of cheating the Bank of stated amount of Rs.18,25,000/-. As per the investigations, sum of Rs.13,50,000/- was received in the Applicant's account. He is in judicial custody since 28.08.2024 in the present case. Investigations have already been completed and Chargesheet has been filed.

19. In so far as, the Applicant's involvement in other cases is concerned, the same is subject matter of trial and the same cannot be taken as a ground to deny the Bail in the present case. Furthermore, the Applicant has volunteered to deposit the alleged cheated amount of Rs.13,50,000/-.

20. Considering the totality of the circumstances and the nature of offence, the Petitioner/Applicant is granted Bail, on the following terms and conditions:

a) The Petitioner/Applicant shall furnish a personal bond of Rs.50,000/- and one surety of the like amount, to the satisfaction of the learned Trial Court, subject to deposit of Rs.13,50,000/- before the Registrar General, High Court of Delhi, within seven days, which shall be deposited in auto-renewal mode FDR;

b) The Petitioner/Applicant shall appear before the Court as and when the matter is taken up for hearing;

c) The Petitioner/Applicant shall provide his mobile number/ changed mobile number to the IO concerned, which shall be kept in working condition at all times;

d) The Petitioner/Applicant shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses; and

e) In case the Petitioner/Applicant changes his residential address, the same shall be intimated to learned Trial Court and concerned I.O.

21. A copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court.

22. The Bail Application is accordingly disposed of. Pending Application, if any, also stands disposed of.

NEENA BANSAL KRISHNA, J.

OCTOBER 14, 2025/*R*