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

+ **BAIL APPLN. 3144/2025, CRL.M.A. 24402/2025**

SHYAMAL MAL

.....Petitioner

Through: Mr.Lokesh Kumar Mishra, Mr.
Sahibe Alam advocates

versus

STATE (GNCT OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP for the State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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26.09.2025

1. First Regular Bail Application under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.'), has been filed on behalf of the Petitioner in FIR No.0306/2025 under Section 304(2)/309(4)/311/317(2)/111/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 25 of Arms Act, registered at Police Station: New Ashok Nagar, Delhi.
2. It is submitted that the Applicant was not named in the FIR. He is a young boy of 28 years and his entire career has ruined. He has a liability of his entire family as he is the sole bread winner.
3. The only allegation against him are of having received the stolen property i.e. under Section 411 IPC/317(2) BNS. The Applicant asserted that he was not aware of the gold being stolen property when it was sold to him by the main accused. He has paid the entire money for purchase of the



gold.

4. It is further contended that his arrest has been done in sheer violation of judgment of Arnesh Kumar vs. State of Bihar, Satender Kumar Antil vs. CBI and Rohit Vairagi vs. State of NCT of Delhi. The offence for which the Applicant is punishable has a maximum sentence of three years. The Applicant is in Judicial Custody since 04.07.2025.

5. The Applicant is a permanent resident of Delhi and there are no chances of his fleeing from Bail. He undertakes to appear and face the trial. Hence, a prayer is made that he be granted Bail.

6. A **Status Report** has been filed on behalf of the State, wherein the Bail Application is opposed on the grounds that the investigations have revealed that from the CCTV Footage, the Applicant was seen receiving the money in exchange of melted gold from Pankaj Verma who has already been granted Bail.

7. The co-accused **Sudarshan Mandal** had joined the investigations and was granted interim protection. During interrogations, Sudarshan Mandal had disclosed that he was in his native place in West Bengal since 19.06.2025 and the Train Tickets were produced by him.

8. Co-accused Pankaj Verma @ Babloo has been granted Bail. The Chargesheet is being prepared and under scrutiny in the Prosecution Branch.

9. The Status Report be taken on record.

Submissions heard and record perused.

10. Essentially, the case of the Prosecution against the Applicant is of having received the stolen jewellery which was melted by him and the melted gold has been recovered from him. The investigations are complete. The Applicant is in Judicial Custody since 04.07.2025. The co-accused



Pankaj Verma has already been granted Bail.

11. Considering the totality of circumstances, the Applicant is granted Regular Bail, on the following terms and conditions:

- a) The petitioner/accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.
- b) The petitioner/accused shall appear before the Court as and when the matter is taken up for hearing;
- c) The petitioner/accused 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/accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the petitioner/accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

12. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.

13. The above Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 26, 2025

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