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

+ **BAIL APPLN. 3195/2025, CRL.M.A. 24769/2025**

MONU KUMAR

.....Petitioner

Through: **Mr. Randheer Singh and Ms. Jaya Shakya, Advocates**

versus

STATE GNCT OF DELHI THROUGH SHO P S LAHORI GATE

.....Respondent

Through: **Mr. Utkarsh, APP for the State**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

16.10.2025

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1. First Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Applicant-Monu Kumar for grant of Regular Bail in FIR No. 0111/2022 registered under Sections 365/395/342/170 IPC at P.S. Lahori Gate.

2. It is submitted that the Chargesheet has already been filed in the present case. The main person was co-accused Rahul Kumar Pal, who is in judicial custody since 25.04.2022. During the custody, he made a disclosure statement against the present Applicant. He was formally arrested on 01.05.2023 and thereafter, Supplementary Chargesheet has been filed against him. His Regular Bail Application has been dismissed by learned Trial Court on 05.03.2025. Initially, E-FIR was registered on 04.04.2022 under Section 379 IPC but subsequently, Police added Section 395/365/342/170 IPC.

3. The Applicant claims that he has been falsely implicated in this case because the initial FIR was registered for theft of Rs.10 lacs but subsequently, a concocted story was told by the Complainant giving the different version in



another statement bearing the alleged robbery of Rs.65 lacs.

4. The Chargesheet already stands filed and the charges got framed on 12.03.2024 and the Complainant Rahul Ravindra Pandey has already been examined as PW1. The other public witness PW2/Jaisal Sahdev has also been examined PW2 had to prove the source of alleged money, but he was not able to give any evidence in this regard. PW1 has been inconsistent and has given contrary versions regarding the alleged incident.

5. The testimony of PW1 and PW2 is not reliable. The other evidence against him is a CCTV footage about which PW1 has deposed that the Applicant is not visible. The Complainant was having a mobile phone in his possession despite which he neither took a photograph of the alleged people nor made any PCR call. The other formal witnesses have been called for on 07.08.2025 for examination.

6. It is submitted that the Applicant has been wrongly implicated in this case. There is no incriminating evidence against him and no recovery has been affected. He has been clean antecedents and has deep roots in the society. A prayer is, therefore, made that he be granted Bail.

7. The **Status Report** has been filed today in the Court and the same is taken on record. As per the case of the Prosecution, there were 02 material public witnesses, who have already been recorded there are total 16 Prosecution witnesses out of whom only 02 have been recorded till date. The Applicant is in judicial custody since 01.05.2023. The trial is likely to take a long time.

Submissions heard and record perused.

8. Essentially, the allegations against the Applicant are of theft of Rs.65 lacs. Pertinently, as has been submitted on behalf of the Applicant, the initial



E-FIR was in respect of theft of Rs.10 lacs. Moreover, the charges have already been framed and the 02 material witnesses, i.e. PW1/the Complainant and PW2/Jaiswal Sahdev have already been recorded. There are 16 Prosecution witnesses in all out of which, only 02 witnesses have been recorded.

9. Learned Prosecutor has argued that though the FIR was registered on 04.04.2022, but the Applicant was absconding and had been arrested only on 01.05.2023 for which Section 174A IPC has been invoked. The prior conduct of the Applicant shows that there is every likelihood that he may evade the process of law and may abscond.

10. Though it is correct that the Applicant was declared an “Absconder” and the charges under Section 174A IPC has been framed, but it cannot be overlooked that as per the Applicant, he was always available at his address at his native place and that he was never served with any process or a Notice in the present case. The circumstances as claimed by the Applicant, cannot be interpreted as showing his propensity to abscond.

11. The Applicant is in judicial custody since 01.05.2023. There is no likelihood of his either absconding or tampering with the evidence or influencing the witnesses.

12. Considering the totality of circumstances, the Applicant is admitted to Bail, subject to the following terms and conditions:-

- a) The Applicant/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 Applicant/Accused shall appear before the Court as and when the matter is taken up for hearing;



- c) The Applicant/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 Applicant/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.
- e) In case the Applicant/Accused changes his residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

13. The copy of this Order be communicated to the concerned Jail Superintendent, as well as, to the learned Trial Court for information and compliance.

14. The Bail Application alongwith pending Application, is accordingly disposed of.

NEENA BANSAL KRISHNA, J.

OCTOBER 16, 2025

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