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

+ **BAIL APPLN. 3638/2025 & CRL.M.A. 28486/2025**

SHIV NARAYAN DUBEYApplicant

Through: Mr. Pradeep Tyagi, Adv.

versus

STATE NCT OF DELHI ANRRespondents

Through: Mr. Sunil Kumar Gautam,
APP for the State

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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14.11.2025

1. The present application is filed seeking pre-arrest bail in FIR No. 252/2025 dated 27.07.2025 for offences under Sections 309(6)/3(5) of the Bharatiya Nyaya Sanhita, 2023 registered at Police Station Sonia Vihar.
2. Briefly stated, FIR in the present case was registered pursuant to the complaint that the accused persons snatched the complainant's phone and car.
3. During the course of the investigation, accused Birender Kumar Pandey was arrested and he disclosed that he had given money to the complainant through the applicant and he was not returning the same. He further disclosed that the applicant called him and told him that he will call the complainant to Sonia Vihar and asked him to come to the same spot. He disclosed that the applicant further stated on the call that if the complainant refuses to return the money, they will snatch his car. He further disclosed that when they reached the spot, the applicant informed them that the complainant is refusing to return the money, thereafter he



snatched the complainant's mobile phone and car along with accused Madan Mohan.

4. The applicant, pursuant to the grant of interim relief by order dated 22.09.2025, is stated to have joined the investigation.

5. As noted by this Court in order dated 22.09.2025, the allegations were made against the applicant and co-accused persons, namely, Birender Kumar Pandey and Madan Mohan that they together had snatched the complainant's car and mobile phone.

6. Those co-accused persons have already been admitted on bail noting that the complainant does not wish to pursue any proceedings against them and had no objection on them being admitted on bail.

7. It is the case of the applicant that there is a financial dispute between the parties. In support of his averments, he has also annexed a copy of a cheque dated 15.05.2025 allegedly issued by the complainant which, according to the applicant, was dishonoured pursuant to which the financial dispute arose between them and, therefore, it is alleged that the applicant has been falsely implicated in the present case.

8. It is not disputed that the car and the mobile phone allegedly snatched from the complainant have already been recovered from the co-accused persons. No further recovery of any kind is required to be made.

9. Once the applicant has joined the investigation and in view of the facts of the present case, the custodial interrogation of the applicant, in the opinion of this Court, is not required.

10. In view of the above, the present application is allowed and the applicant, in the event of arrest, is directed to be released



on bail on furnishing a personal bond for a sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the concerned SHO, subject to the following conditions:

- a. The applicant shall join and cooperate with the investigation, if required, as and when directed by the concerned IO;
- b. The applicant shall not leave the country without the prior 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 and shall not change the address without informing the concerned IO;
- e. The applicant shall give his mobile number to the concerned IO and shall keep the mobile phone switched on at all times.

11. In the event of there being any violation of the stipulated conditions, it would be open to the State to seek redressal by filing an application seeking cancellation of the bail.

12. It is clarified that the observations made in the present order are for the purpose of deciding the present pre-arrest bail application, and should not influence the outcome of the Trial and should not be taken, as an expression of opinion, on the merits of the case.

13. The present bail application is allowed in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 14, 2025/“SS”