



\$~7 & 8 (25.11.2025)

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

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+ **BAIL APPLN. 3908/2025 & CRL.M.A. 30485/2025**

RAHUL JAGTAP

.....Applicant

Through: Mr. Mohit Gautam, Adv.
(through VC)

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav, Adv.
SI Amit Kumar, PS- Moti
Nagar

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+ **BAIL APPLN. 4024/2025 & CRL.M.A. 31337/2025**

PAYAL P SAMUEL

..... Applicant

Through: Mr. Mohit Gautam, Adv.
(through VC)

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav, Adv.
SI Amit Kumar, PS- Moti
Nagar

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

26.11.2025

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1. This matter was fixed for 25.11.2025 but is taken up today, that is, 26.11.2025 due to declaration of holiday on 25.11.2025 on occasion of 350th anniversary of 'Guru Teg Bahadur's Martyrdom Day'.

2. The present applications have been filed seeking pre-arrest



bail in FIR No. 289/2025 dated 23.05.2025 registered at Police Station Moti Nagar. for offences punishable under Sections 318(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Succinctly stated, the FIR was registered on a complaint by one Lovnish Grover/complainant who is stated to be a property dealer. It is alleged that the complainant was approached by one buyer, for purchase of a flat, for which certain amount was required to be transferred to the overseas account of the seller. Allegedly, the complainant is the facilitator for the sale of property as the Sellers are NRI. Hence, for the said purpose, the buyer had handed over a sum of ₹60,00,000/-, to the complainant.

4. It is alleged that the complainant approached the applicants who pretended to be consultants in foreign exchange transfers and that the applicants have usurped ₹60,00,000/-, which was paid to them in cash by the complainant, for the purpose of foreign exchange transfer into the account of seller of the property. It is alleged that neither any transfer was made nor the money was returned. Hence the present FIR was registered against the applicants.

5. It has been pointed out that the alleged buyer has denied giving the amount of Rs. 60 lakhs to the complainant.

6. It has further been pointed out that the applicants pursuant to the interim protection granted by this Court, have since joined investigation and they have been bound down by the Police.

7. Pertinently, the complainant had alleged that the amount of Rs. 60 lakhs was paid to him by the buyer of the property and the same was to be transferred to the seller.

8. However, it is not disputed that the buyer from whom the



complainant has allegedly taken the money, has denied paying any amount to the complainant for the purpose of any transfer. Hence the source of the amount usurped is not established.

9. Further, it is also not disputed that the applicants have joined investigation on multiple occasions.

10. In view of the above, in the opinion of this Court, the applicants have made out a *prima facie* case for being admitted on bail.

11. The present applications are, therefore, allowed. The applicants, in the event of arrest, are 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 concerned SHO, on the following conditions:

- a. The applicants shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicants shall not leave the country without the prior permission of the learned Trial Court;
- c. The applicants 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;
- d. The applicants shall appear before the learned Trial Court as and when directed;
- e. The applicants shall provide the addresses where they would be residing to the concerned IO/SHO and shall not change the address without informing the concerned IO/SHO;
- f. The applicants shall give their mobile numbers to the



concerned IO/SHO and shall keep their mobile phone switched on at all times.

12. 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.

13. It is clarified that the observations made in the present order are for the purpose of deciding the present pre-arrest bail applications, 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.

14. The present bail applications are allowed in the aforesaid terms

15. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

NOVEMBER 26, 2025

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