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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3934/2025 & CRL.M.A. 30668/2025

SHIV MOHAN

.....Applicant

Through: Mr. Saurabh Sharma and
Ms. Priya Mittal,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Ritesh Kumar Bahri,
APP for the State with Ms.
Divya Yadav, Advocate.
SI Deep Sharma, PS New
Delhi Railway Station.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

21.11.2025

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1. The present application is filed by the applicant seeking pre-arrest bail in FIR No. 32/2024 dated 29.04.2024, registered at Police Station New Delhi Railway Station, for the offence under Sections 420/34 of the Indian Penal Code, 1860.

2. Briefly stated, the FIR was registered pursuant to a complaint filed by one Mr. Ravi Sharma, who alleged that he had been cheated for a sum of ₹9.80 lakhs on the pretext of him being provided a job. The complainant had alleged that the co-accused/Himanshu had assured that he would help him in securing a government job in Railways. The complainant further alleged that he had received a call from another co-accused/Priya, who represented herself as a Railways officer and got his medical examination done for the purpose of job. A Fake identity card, a fake joining letter was issued to the complainant and he was given fake training as well.

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3. The allegations against the applicant Shiv Mohan are that he had received certain portion of the alleged cheated amount in his bank account from co-accused Priya and Geeta, and he had connived with the other accused persons to cheat the complainant.

4. This Court, while granting interim protection to the applicant *vide* order dated 14.10.2025, noted that the co-accused Himanshu, has already been admitted on bail by the learned Trial Court, in view of the statement of the complainant that he has already received a sum of ₹5 lakhs from the co-accused Himanshu and he has no objection on him being admitted on bail.

5. It has not been disputed that the applicant has not been named in the FIR by the complainant. No direct allegation of inducement, impersonation, receipt of money, or issuance of forged documents is attributed to him in the FIR narrative. He was not even named to be the one of the persons who had connived with the other co-accused persons in order to cheat the complainant.

6. It is also not disputed that co-accused Priya @ Gayatri has also been admitted on bail by the learned Trial Court by noting that the complainant had never met the said co-accused and she had also not received any amount directly from the complainant. Only allegation against the applicant is that some amount was deposited into his account by the co-accused. Whether the applicant was involved in the commission of the offence will be ascertained during the course of trial, however, a *prima facie* case is made out in favour of the applicant for grant of bail.

7. The object of custody is to secure the presence of the



accused persons during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment.

8. Further, it is evident from the Status Report filed that the applicant has already joined the investigation on multiple occasions, pursuant to interim protection being granted to him and hence, custodial interrogation of the applicant is not required.

9. 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 ₹20,000/- with two sureties of the like amount, subject to the satisfaction of the concerned SHO, on the following conditions:

- a. The applicant shall join and cooperate with the investigation, if required, as and when directed by the IO;
- b. The applicant shall not leave the country without the prior permission of the learned Trial Court;
- c. The applicant 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 applicant shall appear before the learned Trial Court as and when directed;
- e. The applicant shall provide the address where he would be residing to the concerned IO/SHO and shall not change the address without



informing the concerned IO/SHO;

- f. The applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

10. 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.

11. 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.

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

AMIT MAHAJAN, J

NOVEMBER 21, 2025

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