



\$~55

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

+ **BAIL APPLN. 4348/2024 & CRL.M.A. 35547/2024**

PAPPU PRAVIN JAIN

.....Petitioner

Through: Mr. Ashesh Lal and Mr. Raghav
Parwatiyar, Advocates

versus

STATE

.....Respondent

Through: Mr. Laksh Khanna, APP for the State

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

04.03.2025

%

1. This petition has been filed seeking anticipatory bail in FIR No. 805/2024 registered at P.S Karol Bagh, Central Delhi for offences under Sections 318(4)/316(2)/3(5) of Bharatiya Nyaya Sanhita, 2023 ('BNS').
2. The FIR was registered on the basis a complaint which was filed by one Mr. Pankaj Mehra who is the salesman of M/s Manjusha Jewels Industries Pvt. Ltd. It is stated that owner of the said firm received a call from main accused Jignesh, introducing himself as a jeweler at Karol Bagh and expressing an intent to connect as a businessman. It is stated on 27.08.2024 complainant was invited by the main accused Jignesh to his shop in Karol Bagh, to display gold jewellery samples. It is stated that after winning the confidence of the complainant, on 30.08.2024 main accused Jignesh stated that he requires 3 kg 57 grams of gold jewellery. It is stated on reaching the shop the main accused took 2 kg 17 grams in another room



on the pretext of showing the same to other customers, however, he thereafter did not return and fled away with the gold jewellery.

2.1. The Applicant herein is being implicated on the basis that he was present in the alley behind the shop at that time and was going along with other accused persons, namely Jignesh, Kayur, Vinkal and Chirag, after commission of the offence. It is further stated that present applicant has also paid Rs. 25,000/- to co-accused namely Mukesh Tate for taking the luggage of all accused persons from the hotels where they stayed. It is stated that the said 25,000/- already stands seized and during interrogation co-accused Mukesh Tate disclosed the involvement of Applicant. It is further stated there is a CCTV footage which as well shows the presence of present applicant and co-accused Chirag standing in the *gali*.

3. In relation to the orders passed by the Court on 27.11.2024 and 03.12.2024, learned APP states that the Petitioner has joined the investigation and has also provided his mobile phone for verification, which have been seized by the Investigating Officer (IO). He states that the bank statement of the Petitioner has also been received.

4. He states that the chargesheet is yet to be filed, however, since the accused has joined investigation and he has provided the information sought for to the IO; presently no custodial interrogation of the Applicant is required.

5. Learned counsel for the Applicant states that Applicant regularly visits Delhi for business and on the date of the incident, he was present for routine business.

6. The role of the Applicant in theft of the jewellery is not ex-facie evident. Moreover, the Applicant has already joined investigation and



provided the information sought by the IO. In light of the above, the Court is of the considered opinion that the Applicant is entitled to anticipatory bail. Consequently, in the event of arrest, the Applicant be released on bail on furnishing a personal bond in the sum of Rs. 50,000/- with two sureties of the like amount subject to the satisfaction of the arresting officer/IO/SHO concerned and further subject to the condition:

- i. The Applicant shall cooperate and join the investigation and provide all requisitioned information/materials to the I.O.
 - ii. The Applicant shall report to the concerned IO at P.S Karol Bagh, Central Delhi every 1st Monday of every month, at 4:00 PM, and will not be kept waiting for more than an hour and/or as and when directed;
 - iii. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
 - iv. The Applicant shall provide his mobile number(s) to the Investigating Officer;
 - v. In case of change of residential address and/or mobile number, the Applicant shall intimate the same to the Investigating Officer/Court concerned by way of an affidavit.
 - vi. In addition, the change of the address and mobile number will be intimated to the Jurisdictional SHO in Mumbai. The IO shall inform the jurisdictional SHO, where the Applicant reside with respect to the pendency of this case and compliance of this condition.
7. Since the other co-accused are absconding and investigation is not complete, the Applicant will duly join the investigation as and when called



upon by the IO.

8. Accordingly, the petition is disposed of. Pending applications (if any) are disposed of as infructuous.

9. It is made clear that this Court has not dealt with the merits of the case and has restricted itself to the question of whether anticipatory bail can be granted to the Applicant or not. The observations made hereinabove shall nowhere affect the merits of the case during trial.

10. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

MARCH 4, 2025/hp/ms

Click here to check corrigendum, if any