



\$~54

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

+ **BAIL APPLN. 4306/2025 & CRL.M.A. 33365/2025**

RISHI KUMAR MALIKApplicant

Through: Mr. Raghav Kapoor, Mr.
Praveen Kumar and Mr.
Pawan Kumar, Advocates.

versus

**STATE GOVT. OF NCT OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Sunil Kumar Gautam,
APP for the State with SI
Krishan Pal, PS
Mukherjee Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

12.11.2025

%

1. The present bail application is filed seeking regular bail in FIR No. 745/2025 dated 17.09.2025, registered at Police Station Mukherjee Nagar for the offence under Section 174A of the Indian Penal Code, 1860 ('**IPC**').

2. The FIR was registered under Section 174A of the IPC pursuant to the applicant being declared a Proclaimed Person in the proceedings arising out of CC No. 2851/2018 initiated under Section 138 of the Negotiable Instruments Act, 1881 ('**NI Act**').

3. The subject complaint was filed under Section 138 of the NI Act pursuant to the dishonour of a cheque for a sum of ₹3,00,000/-.

4. The applicant claims that on account of serious mental health issues, he could not pursue the proceedings under Section 138 of the NI Act and could also not appear before the learned



Trial Court, which led to the initiation of the proceedings under Section 82 of the Code of Criminal Procedure, 1973.

5. The applicant was arrested way back on 15.10.2025 and has been in custody since then. On being pointedly asked, it is informed that the charge sheet has already been filed in the present case.

6. The maximum punishment for the offence under Section 174A of the IPC in the case of the applicant is imprisonment for a term which may extend to three years.

7. As noted above, the investigation is already complete. Even though an apprehension has been raised by the learned Additional Public Prosecutor for the State that the conduct of the applicant of not appearing in the proceedings under Section 138 of the NI Act makes him a flight risk, the said apprehension can be allayed by putting appropriate conditions.

8. In the opinion of this Court, the applicant is no longer required in custody.

9. In view of the aforesaid discussion, the applicant is admitted on bail and is directed to be released on furnishing a personal bond for a sum of ₹20,000/- with two local sureties of the like amount, subject to the satisfaction of the learned Trial Court, on the following conditions:

- a. 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;
- b. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;



- c. The applicant shall appear before the learned Trial Court in the complaint proceedings as and when directed and shall not take undue adjournments;
- d. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- e. The applicant shall, upon his release, 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 FIR/DD entry/complaint lodged against the applicant, it would be open to the respondent to seek redressal by filing an application seeking cancellation of bail.

11. It is clarified that the observations made in the present order are only for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

12. The bail application is allowed in the aforementioned terms. Pending application(s) also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 12, 2025

DU