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

+ **BAIL APPLN. 4520/2024**

**CHARU GUPTA**

.....Petitioner

Through: **Mr. Charanjeet Bhalla and Mr. Gautam Sharma, Advocates**

versus

**STATE GNCT OF DELHI**

.....Respondent

Through: **Mr. Naval Kishore Jha, APP for the State with SI Sanjay Meena Mr. Sumit Verma and Mr. Ishu Tyagi, Advocates for victims with victims in person.**

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**21.01.2025**

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1. The present petition has been filed seeking regular bail in connection with FIR No. 383/2024 under Section 115(2)/74/75/79/309(6)/351(2)/3(5) of BNSS, 2023 registered at Police Station Shadara, District Shahdara, Delhi.
2. The case of the prosecution is that a complaint was made by one Mrs. Sandhya wherein she alleged that she along with other ladies went to the office of the petitioner/accused to ask for their money but the petitioner, her son, Yash Gupta and husband, Yogesh Gupta threatened and misbehaved with them and also outraged the modesty of the complainant and other ladies. It is further alleged that the petitioner slapped the complainant, snatched the handbag and gave the same to her son and husband who both successfully managed to run away from the spot.



3. Learned counsel for the petitioner submits that the co-accused Yogesh Gupta as well as Yash Gupta have already been granted anticipatory bail. He further submits that the present petitioner is a woman, who is suffering from age related ailments, and is already in custody for the past four months and 11 days.
4. He submits that the CCTV footage being relied upon by the prosecution does not support the allegations that the handbag was snatched by the present petitioner from the complainant and handed it over to her son and husband who subsequently ran away from the spot.
5. He submits that there is a cross FIR registered against the complainant and her associates. He further submits that the chargesheet has been filed and the custody of the petitioner is no more required for investigation. He, therefore, urges the Court that the petitioner may be granted regular bail.
6. *Per contra*, learned APP appearing for the State has argued on the lines of status report. Likewise, learned counsel for the complainant has also opposed the bail application.
7. I have heard the learned counsel for the petitioner, the learned APP for the State, as well as, the learned counsel appearing on behalf of the complainant and have perused the record.
8. It is not in dispute that the co-accused person, namely, Yogesh Gupta and Yash Gutpa have already been granted anticipatory bail.
9. Undisputedly, the petitioner is in custody for the past four months and 11 days. The investigation is complete and the chargesheet has already been filed, therefore, the custody of the petitioner is not required for any further investigation. That apart, the petitioner is a woman and is stated to be suffering from age related ailments.



10. On a query posed by the Court, the learned APP, on instructions from the IO, who is present in Court states that there is no CCTV footage which shows that the petitioner snatched handbag of the complainant.

11. Considering the aforesaid facts in entirety, this Court is of the view that the petitioner has made out a case for grant of regular bail. Accordingly, the petitioner is admitted to regular bail subject to her furnishing a personal bond in the sum of Rs. 30,000/- with one surety of the like amount to the satisfaction of the Trial Court/JMFC/Duty JM, further subject to the following conditions:

- a) Petitioner/applicant will not leave the city without prior permission of the Court.
- b) Petitioner/applicant shall drop a pin on the Google map to ensure that his location is available to the Investigating Officer.
- c) Petitioner/applicant shall appear before the Court as and when the matter is taken up for hearing.
- d) Petitioner/applicant shall intimate the Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
- e) Petitioner/applicant shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the Investigating Officer concerned. The mobile location be kept on at all times.
- f) Petitioner/applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the, witnesses or any family members of the witnesses.



12. It is clarified nothing mentioned above shall be construed as expression of opinion on the merits of the case.
13. The application is disposed of.
14. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.
15. Order *dasti* under signatures of the Court Master.

**VIKAS MAHAJAN, J**

**JANUARY 21, 2025**  
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