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

+ **BAIL APPLN. 31/2025 & CRL.M.As. 162/2025, 163/2025**

SAROJ KUMAR (THROUGH PAIROKAR)Petitioner

Through: Mr. Rohit Singh, Mr. S. Kumar, Mr.
Puneet Sheoran and Mr. Mohit Saini,
Advocates

versus

THE STATE OF NCT OF DELHIRespondent

Through: Mr. Laksh Khanna, APP for State
with SI Santosh Kumar, PS ORDS,
Delhi

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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14.01.2025

1. The present application has been filed seeking regular bail in FIR No. 54/2024 dated 17.07.2024 under Section 318(4)/336(3)/340(2)/62 of the Bharatiya Nyaya Sanhita, 2023 (BNS) at Police Station (PS) Old Delhi Railway Station.
2. The case of the prosecution was registered on Complaint dated 17.07.2024 of Sh. Satinder Singh (No. 2701785A), CHM, Somnath Sainik Aaram Grah, Old Delhi Railway Station. The said complainant along with the complaint submitted a photocopy of the Dependent Identity Card (DIC) valid upto 13.03.2024 and also produced the applicant i.e., Saroj Kumar.



2.1 It was stated in the complaint that on 16.07.2024 at 19:55 Hours the applicant/Petitioner reported to the Somnath Sainik Aaram Grah, Old Delhi Railway Station and requested for accommodation in said Aaram Grah. The applicant/Petitioner was asked by the Sentry to produce any identification for availing the services and the applicant produced the photocopy of the DIC. On inspection the Sentry found that there were certain discrepancies with the DIC and moreover the said DIC was signed on 13.03.2024 with validity till 13.03.2024 (valid for just one day only). The stamps used on the DIC also appeared to be fake. The applicant on being enquired claimed to be brother of one Maj MS Chauhan with IC-78040N and stated that he is posted at ZRO, Kolkata. The applicant also provided for said brother's phone number, which was found to be switched off. In these facts, the complainant concluded that the DIC produced by the applicant was fake and forged. In these circumstances, the applicant along with items recovered from him were handed over to the SI Santosh Kumar and an FIR No. 54/2024 was registered.

2.2 The applicant was arrested on 17.07.2024 and sent to judicial custody.

2.3 During investigation an appointment letter in *Pradeshik Sena* in the name of applicant was also recovered from the mobile phone of the applicant. On 31.07.2024 a notice under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) was sent to the Army Office to verify the said DIC and the appointment letter. It is stated that the report of the said verification is still awaited.

3. Learned APP for the State states that chargesheet has already been filed against the applicant and the case is under trial. He stated that



investigation is being done to find involvement of any other person and supplementary chargesheet if any will be filed in the due course.

3.1 He states that the investigation revealed that the forged DIC and appointment letter was received by the applicant on his mobile phone from another user identified by the applicant as Mr. Sahab Singh Chauhan. He states that the investigation has revealed that one Mr. Amarjeet Jha was communicating with the applicant and was using the name Mr. Sahab Singh Chauhan. He states that after completing the investigation against Mr. Amarjeet Jha and others, a supplementary charge-sheet shall be filed.

4. Learned counsel for the applicant states that the applicant was arrested on 17.07.2024 and has been in jail since then. He states that till 13.01.2025 the Petitioner has been in jail for period of 5 months and 27 days and his conduct in the jail is satisfactory as noted in the Nominal Roll dated 13.01.2025. He states that the chargesheet dated 09.09.2024 has already been filed against the applicant and no purpose would be served by keeping him in jail.

4.1 He states that the applicant has earlier had filed a bail application before the ASJ, Central District, Tis Hazari, Delhi and the same was dismissed by the said Court vide order dated 05.11.2024.

4.2 He states that the applicant has clean antecedents and has roots in the society. He states that the applicant is not a habitual offender and there is no other case pending against him. He states that the applicant genuinely believed in the authenticity of the appointment letter issued to him and had visited the Somnath Sainik Aram Grah bona fide. The applicant duly joined the investigation when called upon by the I.O.

5. In the facts noted above, it is apparent that the investigation is



complete qua the applicant and charge-sheet also stands filed.

6. Thus, considering the overall facts and without commenting on the merits of the case, this Court is of the opinion that the Petitioner ought to be enlarged on bail. The Petitioner is, therefore, admitted to regular bail in FIR No. 54/2024 of PS Old Delhi Railway Station and is directed to be released on furnishing a personal bond in the sum of Rs. 25,000/- with one (1) surety of the like amount subject to the satisfaction of the learned Trial Court and further subject to the following conditions:

- (i) Petitioner will not leave the country without prior permission of the Trial Court.
- (ii) Petitioner shall provide his permanent address to the Trial Court, which will be verified by the concerned IO. Additionally, the Petitioner shall intimate the said Court and to the IO by way of an affidavit regarding any change in residential address.
- (iii) Petitioner shall appear before the Trial Court as and when the matter is taken up for hearing.
- (iv) Petitioner shall provide all mobile numbers to the IO concerned which shall be kept in working condition at all times and shall not be switched off or changed without prior intimation to the IO concerned.
- (v) Petitioner shall not indulge in any criminal activity.
- (vi) The Petitioner shall not tamper with the evidence of the case.

7. With the aforesaid directions, the present petition is disposed of.

8. Pending applications stands disposed of.

9. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.



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

JANUARY 14, 2025/mt/sk