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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1620/2025**
SANJAY GUPTAPetitioner

Through: Mr. Vikram Singh Panwar with
Mr. Lalit Gupta, Mr. Syed Mohd.
Shoeb and Ms. Ishita Nautiyal,
Advocates.

versus

STATE OF NCT OF DELHIRespondent

Through: Mr. Aashneet Singh and Ms. Priyanka
Dalal, APP for the State with SI Nitin
Nawani, DIU/Dwarka.
Mr. Sermon Rawat with Mr. Vikas
Rathee, Advocates for complainant

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

23.04.2026

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1. The applicant seeks anticipatory bail in case arising out of FIR No.627/2023 dated 19.10.2023, registered at Police Station Dwarka, North, for commission of offences under Sections 468/471/120B of IPC.
2. When the present application was taken up way back on 29.04.2025, learned Coordinate Bench of this Court, while appreciating the facts, had directed the applicant to join investigation and it was also directed that no coercive steps be taken against him. Such order continues to be in operation. It will be appropriate to refer to the relevant observations appearing in the abovesaid order, which read as under:

“3. The present application under Section 482 of the BNSS seeks anticipatory bail in case FIR No. 627/2023 registered under Sections 468/471/120B of the IPC, at PS Dwarka North, Delhi.

4. Learned Senior Counsel appearing on behalf of the applicant submits that the latter is a partner in M/s Raja Pocket Books which are in the business of



publishing certain comics magazines. It is the case of the complainant that the present applicant applied for certain trademarks in his personal capacity with respect to the comic books being published by the said partnership firm.

5. Learned Senior counsel for the applicant submits that the status of the complainant himself as a partner in the said firm is disputed and arbitration proceedings with respect to the same is pending. It is further submitted that the allegations are with respect to applying for 12 trademarks out of which 10 applications were withdrawn and 2 were withdrawn subsequently. It is further submitted that the present complainant was inducted in the partnership firm in 2019 on certain conditions which he did not fulfil and, therefore, the dispute was pending and the applicant applied for the trademark in his bonafide belief that he is the one who is handling the said partnership business.

6. It is further submitted that essentially the present dispute is civil in nature and that during the course of the pendency of bail application before the learned ASJ the applicant was on interim protection for 8 months and has joined investigation as and when directed by the Investigating Officer. It is further submitted that the applicant is ready to join the investigation and the documents which he had submitted to the Trademark Registry are already in possession of the Investigating Officer.

7. Per contra, learned APP appearing on behalf of the State assisted by learned counsel for the complainant submit that the applicant has admitted to furnishing the forged documents of certain invoices with the Trademark Registry in support of his application. It is pointed out that the concerned persons who had alleged to have been issued those invoices had given statements to the effect that the invoices were never generated by them.

8. Learned counsel appearing on behalf of the complainant submits that during the period of interim bail granted to the present applicant he had violated the conditions and threatened the father of the complainant regarding which a transcript has been given to the Investigating Officer. It is further submitted that the 2 applications for trademark had been withdrawn after the registration of the present FIR.

9. Admittedly, the applicant was a partner in the aforesaid firm M/s Raja Pocket Books vide a partnership dated 01.07.1985, which is claimed to have been publishing the aforesaid comic magazines. The other two partners were Manoj Gupta (brother of the present applicant) and Prem Lata Gupta (mother of the present applicant and grandmother of the complainant). Subsequently, another partnership dated 01.04.1994 was entered into comprising of 8 persons namely Raj Kumar Gupta (Father of the applicant), Prem Lata Gupta (Mother of the applicant), Sanjay Gupta (present applicant), Parul Gupta (Wife of the applicant), Manoj Gupta (Brother of the applicant), Meenu Gupta,



Manish Gupta (Father of the informant/complainant), and Anita Gupta (Mother of the informant/complainant). Thereafter, vide a partnership dated 02.04.2019, the present complainant was inducted as a partner (which has been disputed by the applicant herein).

10. Issue notice.

11. Learned APP for the State accepts notice and seeks some time to file the status report. Let the same be filed before the next date of hearing.

12. List on 15.05.2025.

13. In the meantime, the applicant joining the investigation as and when directed by the Investigating Officer, no coercive steps may be taken against the present applicant till the next date of hearing.”

3. Learned Addl. P.P. for the State and learned counsel for the complainant, who have vehemently opposed the extension of interim relief and rather pray for cancellation of anticipatory bail application, submit that despite there being direction passed by this Court, the applicant is not coming clean and has withheld certain important documents and has even gone to the extent of destroying some incriminating documents, including digital files. It is also contended that since he was extending threats to the father of the complainant, Section 506 IPC has also been added in the ongoing investigation.

4. During course of the arguments, when asked, learned counsel for the applicant submitted that whatever documents and digital record the applicant had in his possession, have already been handed over. He also disputes that anything has been destructed or destroyed, deliberately. He submits that these aspects would stand established, either way, during the trial.

5. The Court has gone through the status report on record.

6. As per status report, even prior to the anticipatory bail application filed before this Court, the applicant had joined investigation on 23.11.2023. The



status report would also indicate that on several occasions, he kept on assisting investigations so much so that his voice samples were also collected on 08.01.2025 and he had also provided the hard disc which, after seizure, has already been sent to FSL for retrieval of data and *e-mail* etc.

7. Learned counsel for the complainant submits that custodial interrogation is not the sole deciding factor and since there are serious allegations against the applicant, he does not deserve any leniency in the matter. On said aspect, he strongly relies upon *Sumitha Pradeep vs. Arun Kumar C.K. and another*: (2022) 17 SCC 391.

8. Indubitably, there is no scope of debate about the abovesaid preposition and even if the custodial interrogation is not required, it alone cannot be a ground to grant anticipatory bail.

9. Keeping in mind the overall facts of the case, the fact that the applicant and the complainant are closely related and that the applicant has already joined the investigation, the interim order dated 29.04.2025 is hereby made absolute and it is directed that applicant shall keep on assisting the investigation and in the event of his arrest, he be released on bail by the concerned SHO/IO/arresting officer, on his furnishing personal bond and surety bond in a sum of Rs.25,000/- each.

10. The application is, accordingly, disposed of.

11. It is, however, clarified that the observations made hereinabove are tentative in nature and shall not be taken as final expression on merits of the case.

MANOJ JAIN, J

APRIL 23, 2026
st/js