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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 2669/2025&CRL.M.A. 20735/2025
PRAJAPATI MAYURKUMAR JAYANTILALPetitioner
Through: Mr. Vikram Panwar, Mr. Milan Verma,
Mr. Aman Sharma, Advocates.
versus
STATE NCT OF DELHIRespondent
Through: Ms. Priyanka Dalal, APP with SI
Harish.
Mr. Vishal Dabas, Mr. Aishwarya
Sharma, Mr. Jatin Dalal, Advocates
+ BAIL APPLN. 3696/2025&CRL.M.A. 28907/2025
PRAJAPATI VIJAYKUMAR PURSHOTTAMDAS.....Petitioner
Through: Mr. Vikhyat Oberoi, Ms. Nishita Gupta,
Mr. Ravi Sharma, Ms. Akshata Satpuri,
Ms. Juhi, Advocates.
versus
STATE NCT OF DELHIRespondent
Through: Ms. Priyanka Dalal, APP with SI
Harish.
Mr. Vishal Dabas, Mr. Aishwarya
Sharma, Mr. Jatin Dalal, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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12.05.2026

1. Both the applicants herein seek anticipatory bail in case arising out of FIR No. 330/2025 dated 26.04.2026, registered at Police Station Lahori Gate, for commission of offences under Sections 316(2) of *Bharatiya Nyaya Sanhita (BNS)*, 2023 (corresponding Section 406 IPC).
2. When the anticipatory bail application of applicant-Prajapati Mayurkumar Jayantilal was taken up by learned Predecessor Bench on 13.08.2025, he was granted interim protection upon him joining the investigation. Similar protection was also granted to applicant-Prajapati Vijaykumar Purshottamdas by learned Predecessor Bench *vide* order dated

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24.09.2025.

3. As per allegations appearing in the FIR, complainant Amit Barot allegedly gave Rs. 1,00,00,000/- to one Atit Prajapati and his co-accused Nitin @ Shankar Prajatpati (since deceased in January 2025) and such amount was to be transferred to some known persons of the complainant, situated in Gujarat. According to complainant, the amount was never received in Gujarat and, therefore, he reported the matter to the police, which resulted in registration in the abovesaid FIR.

4. As per bare allegations, the entrustment, if at all it is to be believed, was to Nitin Prajapati and Atit Prajapati.

5. Admittedly, Atit Prajapati is already on bail and copy of order dated 23.08.2025 passed by learned Trial Court has been shown.

6. As far as co-accused Nitin Prajapati is concerned, he died even before the registration of FIR.

7. When Atit Prajapati was enlarged on bail, the learned Trial Court had made query from the IO and in response to such query, IO submitted that no documented proof had been provided by the complainant about the alleged transaction of Rs. 1,00,00,000/-

8. When Bail Application No. 2669 of 2025 was taken up by the learned Predecessor Bench on 13.08.2025, it observed as under:-

“1. Report dated 06.08.2025 has been filed which reveals that conceded case of the complainant is that he handed over money in Delhi to one Nitin Prajapati and his accomplice Atit Prajapati. Whereas, the applicant herein, i.e. Mayur Prajapati resides in Ahmedabad. He is stated to be brother of Nitin Prajapati, since deceased.

2. Prima facie, it appears that merely because the applicant is also a Prajapati and brother of the deceased accused against whom the proceedings stand abated on account of his death, he has been implicated by the complainant on mere suspicion without there otherwise being any material against him at this stage.



3. In the premise, the applicant is directed to join the investigation within a period of one week from today. Upon doing so, no coercive steps shall be taken till the next date of hearing. Let a further report be filed after he joins the investigation.”

9. It is apprised that both the applicants have already joined the investigation.

10. Keeping in mind the overall facts, the nature of the allegation and the fact that there is no documentary proof with respect to the transaction in question, *albeit*, without making any final observation on the merits of the case, the abovesaid interim orders dated 13.08.2025 and 24.09.2025 are, hereby, made *absolute* and applications are allowed with direction to applicants to keep on joining the investigation as and when so directed. In the event of their arrest, they be admitted to bail, on their furnishing personal bond in a sum of Rs. 25,000/- each with one surety of like amount, subject to the satisfaction of arresting officer/IO/SHO with the condition that the applicants would provide their Mobile Numbers to the concerned I.O and would ensure that such Mobile Numbers remain active and operational, till the disposal of the case by the learned Trial Court.

11. Needless to say, if the applicants do not join the investigation despite specific intimation given in writing in advance, the prosecution would be at liberty to approach this Court seeking cancellation of bail.

12. The applications stand disposed of in aforesaid terms.

13. Pending application also stands disposed of.

MANOJ JAIN, J

MAY 12, 2026/sw/sy