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

+ **BAIL APPLN. 4677/2025**

PARVEEN SABBARWAL @ MOTA

..... Applicant

Through: Mr. M.L. Yadav, Mr. Harish Chand, Mr. Anant Chittoria, Mr. Deepak Kumar, Mr. Prashant, Mr. Harsh Kumar and Mr. Piyush Saini, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Raghuinder Verma, APP for the State

Mr. Sarthak Karol, Advocate (DHCLSC) with Ms. Neelakshi Bhadauria and Mr. Shashank Sharma, Advocates

Mr. Amanjeet Singh, Advocate for complainant

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

11.05.2026

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1. By way of the present application, the applicant is seeking grant of regular bail in connection with case arising out of FIR no.465/2021, registered at P.S. Lajpat Nagar, Delhi, for commission of offences punishable under *Sections 387/506/201/482/120B/34 IPC*.

2. *Briefly put*, as per the prosecution story, the present FIR came to be registered on the complaint of Jasmeet Singh, who alleged that on 24.11.2021 at about 08:00 PM, one person armed with a country-made pistol entered his office along with his one associate, where the

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complainant's friend namely Harpal Singh tried to apprehend them, however, both the assailants managed to escape from there. It was further alleged that thereafter at about 08:33 PM, the complainant received an extortion call from mobile number 6026411973, wherein the caller, who disclosed his name as Praveen Mota i.e., the present applicant, demanded Rs.20,00,000/- with threats to kill him in case of non-payment.

3. During the course of investigation, the identity of the two assailants who had entered the office of the complainant was revealed as Abhishek and Rohit. It also surfaced during investigation that co-accused Abhishek had acted at the instance of the present applicant and co-accused Aakash, whom he met while lodged in Mandoli Jail.

4. In these facts, learned counsel for applicant praying for release of the applicant on regular bail submits that *[i]* the applicant has been falsely implicated in the present case solely on the basis of disclosure statement of the other co-accused; *[ii]* the applicant was arrested on 06.12.2021 and has already undergone incarceration for about *four years three months*, which is more than one-half of the maximum punishment of *seven years* that may be imposed upon him in the event of his conviction; *[iii]* out of *twenty* prosecution witnesses, only *three* witnesses have been examined till date and therefore, it is very likely that conclusion of trial will take considerable time; and lastly *[iv]* the complainant have no objection to grant of bail to the applicant.

5. *Per contra*, learned APP for the State, relying upon the Status Report, opposes grant of bail and submits that *[i]* the offence in the present case is serious in nature inasmuch as it involves extortion at gunpoint; *[ii]* the applicant herein is the prime conspirator, belonging to a group of



gangsters operating from Mandoli Jail and co-accused persons namely, Abhishek and Rohit were working on his directions; [iii] applicant had made the extortion call to the complainant while being lodged in Mandoli Jail; [iv] there exists substantial evidence to prove the complicity of the applicant in the crime; [v] the applicant is involved in *five* other FIRs involving serious offence and his overall conduct throughout the period of incarceration has been ‘Unsatisfactory’; [vi] applicant’s gang continued threatening the complainant even after lodging of the present FIR and arrest of the accused persons; and lastly [vii] the trial is at the nascent stage and the cross-examination of the complainant is yet to be concluded, and if bail is granted to the applicant, he may influence/ threaten the witnesses, jump the bail and may not join the trial.

6. Learned *amicus curiae* appointed by this Court *vide* order 20.03.2026 has handed over a copy of the written synopsis, which is taken on record. Relying thereon, he had supported the case of the prosecution.

7. Heard learned counsel for the parties and perused the documents on records.

8. The allegations against the applicant are grave and serious in nature as they attract offence punishable under *Sections 387/506/201/482/120B/34* of the IPC. This is a case involving extortion at gunpoint wherein the applicant is not a first time offender as the applicant has been involved in *five* other FIRs involving serious offences like culpable homicide amounting to murder from time to time. He is also alleged to be the prime conspirator in the scheme of things herein. Moreover, the charge sheet also mentions *Sections 25/27* of the Arms Act which carries maximum sentence of life imprisonment/ death, though cognizance is yet



to be taken thereon for want of FSL Report. The applicant is also alleged to be belonging to a group of gangsters operating from Mandoli Jail, where he is presently lodged and from where he had *allegedly* made the extortion call to the complainant. Inside jail, also as per the Nominal Roll received from the Jail Authorities, his overall conduct is ‘*Unsatisfactory*’.

9. All the aforesaid become relevant as the trial before the learned Trial Court is at the nascent stage and the cross-examination of the complainant is yet to be concluded.

10. Amongst the grounds raised by learned counsel for the applicant, one ray of hope for the applicant is the long period of incarceration of about *four years three months*, which is more than one-half of the maximum punishment of *seven years*. However, considering the provisions of *Sections 25/27* of the Arms Act, entailing imprisonment for life, coupled with the aforesaid factors, the same loses significance. Moreover, the Hon’ble Supreme Court in *State of U.P. v. Amarmani Tripathi:(2005) 8 SCC 21* while dealing with the above has held as under:-

“... ...[T]he condition laid down under Section 437(1)(i) is sine qua non for granting bail even under Section 439 of the Code. In the impugned order it is noticed that the High Court has given the period of incarceration already undergone by the accused and the unlikelihood of trial concluding in the near future as grounds sufficient to enlarge the accused on bail, in spite of the fact that the accused stands charged of offences punishable with life imprisonment or even death penalty. In such cases, in our opinion, the mere fact that the accused has undergone certain period of incarceration by itself would not entitle the accused to be enlarged on bail, nor the fact that the trial is not likely to be concluded in the near future either by itself



or coupled with the period of incarceration would be sufficient for enlarging the appellant on bail when the gravity of the offence alleged is severe and there are allegations of tampering with the witnesses by the accused during the period he was on bail. ”

[Emphasis Supplied]

11. The other ray of hope as per the grounds raised by learned counsel for the applicant is that only *three* witnesses have been examined till date out of *twenty* prosecution witnesses, and conclusion of trial is likely to take time. The same also pales into insignificance as the cross-examination of the complainant is yet to be concluded, and there are other material witnesses also remaining to be examined, *particularly*, whence there are allegations of extension of repeated threats from his end/ his gang to the complainant even after registration of the FIR and arrest of the accused persons. Under such circumstances, this Court has a reasonable apprehension that if released on bail, the applicant may influence/ threaten the witnesses, and/ or jump the bail and/ or not join the trial.

12. Reflecting on the aforesaid factors, this Court is not convinced to grant regular bail to the applicant, at this stage.

13. As such, the present application is dismissed.

14. Needless to say, expression of view(s) on the merits involved, if any, are solely for the purposes of adjudication of the present bail application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

MAY 11, 2026/rr