

10.04.2026

Present : Sh. K D Pachauri, Ld. Addl. PP for the State.  
Sh. Satyendra Kumar Yadav, Ld. Counsel for  
complainant Amit Gupta.

1. This is an application under Section 482 BNSS for granting anticipatory bail, moved on behalf of applicant Ashwani Pandey.

2. It is submitted by ld. Counsel for applicant/accused that applicant/accused that the applicant got acquaintance with Sh. Amit Gupta (complainant) during the business meeting as the applicant is the ASM of M/S Dharampal Satpal Foods LTD. Further that on one occasion the complainant approached the applicant and requested him to provide a name of a distributor who can supply him goods of M/S Dharampal Satpal Foods LTD., at less price. On the request of complainant, the applicant contacted with co-employee Sh. Akash Tiwari and Sh. Akash Tiwari had suggested the name of Sh Balaji Sales. Sh. Akash Tiwari informed the applicant that he is well acquainted with the owner of Sh. Balaji Sales and on his request he would supply the goods to complainant at less price than other distributors. It is submitted by the Ld. Counsel for applicant that the entire amount as alleged in the complaint of complainant was transferred in the account of Sh. Balaji Sales and neither money has been transferred in the account of the applicant nor any amount demanded by the applicant. Further that the false complaint has been filed by the complainant. Further that the applicant has apprehension of his arrest, hence, the present application.

3. On the other hand, Id. Addl. PP has opposed the application stating that allegations are very serious. It is further submitted that the applicant has cheated earlier by using similar modus operandie. It is submitted that the applicant cheated amount of Rs. 34,81,800/- from the complainant to repay the amount to Sh. Balaji Sales as they were pressursing him to either give dealership or the goods for the amount taken by the applicant. It is further submitted that the amount was partially paid to Sh. Balaji Sales while rest of the amount was misappropriated by the applicant. It is submitted that the complainant has neither been provided dealership for goods for the cheated amount by the applicant. Hence, bail may not be granted.

4. Heard. Perused.

5. Considering the submissions of the prosecution and also considering the fact that receiving of amount by Sh. Balaji Sales on the asking of the applicant is not denied but the amount received by Sh. Balaji Sales is not endorsed by DS Group and also considering that only partial amount was deposited to Sh. Balaji Sales and rest of the amount was siphoned of by the applicant and also considering the statements of the DS Group & Sh. Balaji Sales along with the statement of complainant, no ground is made out for anticipatory bail. Hence, dismissed.

6. Copy dasti. Copy of this order be also sent to Jail Superintendent.

(SHIVAJI ANAND)  
ASJ-II/SPECIAL JUDGE NDPS/  
NORTH-WEST/ROHINI COURTS/  
DELHI/10.04.2026