

10.06.2026

Matter taken up in physical court as well as through video conferencing in terms of order No. 2551/DHC/Gaz/G2/ 2022 dated 11.05.2022 of Hon'ble High Court of Delhi.

Present: Sh. Mukul Kumar, Ld. APP for State.

Sh. Yogesh Shankhla, ld. counsel for accused.

IO SI Rahul Lamba.

This is the second application for grant of bail to accused Rahul Diwakar S/o Sh. Suresh Kumar u/s 480 BNSS.

Reply filed. Copy supplied.

Ld. counsel for the accused submits that after the filing of the charge-sheet, this is the first bail application for the accused. It is submitted that as investigation is complete, no purpose shall be served by detaining the accused in custody any longer. It is submitted that accused is merely a driver by profession, and merely works with Ola/Uber, and has no involvement in the present case. It is further asserted by ld. counsel that accused has clean antecedents. It is thus prayed that the accused be admitted to bail. Ld. counsel submits that in the event of release on bail, the accused shall furnish a sound surety and shall abide by all conditions imposed upon him by the Court.

Per contra, Ld. APP for the State has vehemently opposed the application on the ground that the allegations against the accused are serious. It is submitted that accused had permitted co-accused Rajveer Singh to use his bank account, and obtain proceeds of crime therein against payments of commission. Ld. APP for State submits that accused facilitated the co-accused by not only letting his bank account be used as a mule account, but by obtaining fake SIM cards.

Ld. APP submits that the gravity of the offence alleged against the accused is evident in the fact that in conspiracy with co-accused, he cheated not one, but numerous victims.

Heard. Record perused. Considered.

The offence alleged against the accused, being economic offence, is serious in nature. It is alleged by prosecution that the modus operandi in which the offence appears to have been committed, suggests that the accused, in conspiracy with co-accused, has duped multiple victims. It is observed that charge sheet has already been filed in the present case. Only one victim has been named in the charge sheet. It is not clear on what basis it has been alleged that other victims have been duped by the accused. Charge sheet does not disclose any investigation qua this aspect. In any event, investigation against the accused is complete. Accused cannot be kept in custody indefinitely merely because co-accused has not been arrested till date. Accused has clean antecedents. Further, he has spent considerable time in custody. Bare perusal of charge sheet reveals that prosecution has cited as many as 10 witnesses to be examined. Trial has not even commenced yet, and is likely to take a long time to conclude. As such therefore, the instant application is allowed, and the accused is admitted to bail subject to furnishing of PB and SB to the tune of Rs.20,000/-, and further subject to the condition that the accused shall appear in court regularly on each date of hearing, shall not commit any other offence of similar nature, shall not contact the witnesses in any manner and shall desist from doing anything which may hamper the due process of law.

Bail bonds not furnished.

Application stands disposed of accordingly.

Copy be given *dasti* to ld. counsel for the accused.

(Medha Arya)
ACJM/South District
New Delhi/10.06.2026