

Bail Matter 917/2026
FIR No. 94/2021
PS GREATER KAILASH
U/s. 420/406/467/471/120B IPC
STATE Vs. RADHE SHYAM

20.05.2026

The present bail application received by transfer pursuant to order dated 15/05/2026 of Ld. Principal District & Sessions Judge, South-East District, Saket Courts.

Present: Mr. Zuned Khan, Ld. Addl. PP for the State.
Mr. Nishank Tyagi alongwith Mr. Mohd. Mubashir,
Ld. Counsels for applicant/accused.
Mr. Kushal Bhattacharya, Ld. Counsel for the
complainant.
IO SI Rajnish Kumar, PS Greater Kailash.

**This is an application filed U/s. 483 of BNSS, 2023,
on behalf of applicant/accused Radhe Shyam for grant of bail.**

Arguments heard on bail application from both
sides.

1. Ld. Counsel for applicant/accused argued that applicant/accused Radhe Shyam has spent around 02 years and 07 months in JC in this case. It is argued that the property i.e. entire ground floor of H. No. C-11, GK-I, is in possession of the complainant, although, the complainant is owner of only 50% of ground floor. Ld. Counsel argued that the applicant/accused undertakes to appear before the Court punctually and regularly on dates of hearing and shall abide by any condition if bail is granted.

Contd..2.

2. Ld. Addl. PP and Ld. Counsel for complainant, on the other hand, argued that through order dated 04/02/2025 this Court dismissed the earlier bail application of applicant/accused Radhe Shyam observing that he hoodwinked the criminal justice system by absconding after obtaining interim bail on 24/08/2022. He obtained interim bail to pay settled amount of Rs.70 lakh to complainant but he only paid Rs.40 lakh. Three cheques total amounting to Rs.25 lakh handed over by applicant/accused to complainant towards settlement were dishonored on 10/02/2023 and his interim bail was cancelled on 16/02/2023. Through order dated 19/08/2023, applicant/accused was declared 'proclaimed person'.

Applicant/accused kept absconding for more than one and half year and was arrested in October-2024 as a proclaimed person.

3. It is submitted on behalf of applicant/accused that applicant/accused paid Rs.45 lakh to complainant in pursuance of earlier settled amount of Rs.70 lakh but he could not arrange the remaining amount. The amount paid by applicant/accused was utilized by the complainant to pay Rs. 57 lakh to the lender bank. Presently, the entire ground floor of aforementioned property, measuring 300 sqr. yards is in possession of the complainant, although, complainant has ownership of only 50% of ground floor.

Contd..3.

Bail Matter 917/2026

--3--

FIR No. 94/2021

PS GREATER KAILASH

U/s. 420/406/467/471/120B IPC

STATE Vs. RADHE SHYAM

4. Considering the long period spent by applicant/accused in judicial custody, the fact that he paid part of the settled amount to complainant and the fact that complainant is enjoying the possession of portion of property more than her ownership, the bail application is allowed. Applicant/accused Radhe Shyam is admitted to bail subject to furnishing personal bond in the sum of Rs.25,000/- each with two sound sureties of like amount, to the satisfaction of Ld. Trial Court.

The application is disposed of accordingly.

Copy of this order be sent to concerned Jail Superintendent, for information.

Copy of this order be given dasti to Ld. Counsels for both the parties, as prayed for.

(VISHAL SINGH)
ASJ-05, South-East District
Saket Courts, New Delhi:20.05.2026