



2025:DHC:3494



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

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Date of Decision: 09.05.2025

+ **BAIL APPLN. 4629/2024 & CRL.M.A. 37870/2024 (stay)**

CHIRAG SNEHKANT VORA

.....Petitioner

Through: Mr. Raghav Parwatiyar and Ms.
Shikha Walia, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Ms. Richa Dhawan, APP for State
with with SI Sachin.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. In furtherance of last order, the Investigating Officer/SI Sachin has appeared today with the investigation file. I have heard learned counsel for accused/applicant as well as learned APP assisted by the Investigating Officer. In the course of submissions, the Investigating Officer also produced a pen drive, allegedly containing a video evidence against the accused/applicant and that pen drive was played on the court computer.

2. The accused/applicant seeks grant of anticipatory bail in case FIR No. 805/2024 of PS Karol Bagh for offence under Section 318(4)/316(2)/ 3(5)



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BNS. Briefly stated, the case set up by the prosecution is as follows.

2.1 The complainant *de facto* Pankaj Mehra was working as a salesman in a jewellery manufacturing firm namely Manjusha Jewels Indus India Pvt. Ltd. and for promotion of their sale, they put up stalls in exhibitions at different places.

2.2 On 23.08.2024, the accused Jignesh approached Udit Garg, son of Sanjay Garg, Director of Manjusha Jewels and introduced himself as a jewellery trader in Karol Bagh. Jignesh told Udit Garg that he wants to engage in business transaction with Manjusha Jewels, having seen their jewellery in the exhibitions. At request of Jignesh sample jewellery was sent to his shop in Karol Bagh by Udit Garg through the complainant *de facto*. Jignesh examined the samples and selected a few of those, asking the complainant *de facto* to bring the same next time and collect payment, so the complainant *de facto* returned to his office with all the samples. This exercise of examining the samples was repeated by Jignesh with the approval of Sanjay Garg. This time, Jignesh retained some of the samples and in return handed over raw gold to the complainant *de facto*, assuring to pay the manufacturing charges next time. In this manner, Jignesh earned confidence of the complainant *de facto*.

2.3 On 30.08.2024, at about 01:00pm, Jignesh called up Sanjay Garg and



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asked the latter to supply 2 kg gold jewellery, but for that Sanjay Garg expressed inability. However, when Jignesh told that he had payment ready, Sanjay Garg agreed. At about 02:35pm, the complainant *de facto* packed some jewellery articles weighing 3kg 57 grams, including rings, pendants, necklace, etc., and visited the shop of Jignesh in Karol Bagh. At Jignesh's shop, there was one more boy, introduced by him as his staff. In about 5-10 minutes, Jignesh selected gold jewellery of about 2 kg and after keeping the same in a tray left the room to show the same to the customer. When the complainant *de facto* asked for payment, Jignesh stated that the payment was with the customer and left the shop assuring to return in a minute. The other person, introduced as a staffer also left the shop. The complainant *de facto* kept waiting for some time but neither Jignesh nor his staffer returned, so he called up Udit Garg. After some time Sanjay Garg came to the shop of Jignesh and police was called, which led to recording of his complaint.

2.4 In the course of investigation, seven persons were zeroed down by the investigating officer. Out of those seven persons, the accused Jignesh and Kayur Shah are absconding; the accused Vinkal Girish Shah is on regular bail; the accused Pappu and Ashok Lal Jain are on anticipatory bail; the accused Prakash K. Jain is bound down; and the last person Chirag Snehkant Vora is the accused/applicant.

3. In this background, learned counsel for accused/applicant submits that



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there is no incriminating material against the accused/applicant, so he deserves to be granted anticipatory bail. Learned counsel for accused/applicant submits that no part of the gold, allegedly fraudulently taken away by Jignesh was recovered from the accused/applicant.

4. On the other hand, learned APP assisted by the Investigating Officer submits that the accused/applicant was involved in conspiracy of the above fraud. It is further submitted by learned APP that in his confessional statement in police custody, the accused Vinkal Girish Shah stated that Jignesh after coming out of his shop handed over the bag of gold jewellery to Kayur Shah and then he handed over the same to the present accused/applicant. Further, learned APP also submitted that the footage of the CCTV installed outside the shop of Jignesh clearly depicts the present accused/applicant walking out of the shop along with Kayur Shah, which shows involvement of the present accused/applicant.

5. Admittedly, nothing incriminating, including any part of the jewellery allegedly fraudulently taken away by the accused Jignesh has been recovered from residence of the present accused/applicant or at his instance.

6. The FIR was registered on 05.09.2024, that is after about 5 days of the alleged incident. The accused/applicant is not named in the FIR. The only evidence as on date against the accused/applicant is the alleged CCTV



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footage allegedly depicting the movement of the present accused/applicant with co-accused Kayur Shah in the lane outside the shop of the accused Jignesh.

7. But even that solitary piece of evidence – the CCTV footage, when played in the court room, was found to depict that the person identified by the Investigating Officer as the present accused/applicant wearing black t-shirt is walking across the lane while speaking on his mobile phone, completely oblivious of the person following him in pink shirt carrying a shoulder bag identified by the Investigating Officer as Kayur Shah. Further, it is not that only those two persons are visible in the said lane; there are a few others as well and it does not appear *prima facie* that the person in black t-shirt and the person in pink shirt are walking together.

8. It is made clear that the above are only *prima facie* observations recorded in the course of deciding the grant or otherwise of anticipatory bail.

9. In other words, despite investigation of almost 09 months, presently there is no reliable material to connect the accused/applicant with the alleged offence. Therefore, I find no reason to deprive the accused/applicant liberty.

10. In view of above discussion, this anticipatory bail application is allowed and it is directed that in the event of his arrest, the accused/applicant



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shall be forthwith released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the IO/SHO. It is also directed that the accused/applicant shall join investigation, as and when directed by the IO in writing.

**GIRISH KATHPALIA
(JUDGE)**

MAY 9, 2025/ry