



* IN THE HIGH COURT OF DELHI AT NEW DELHI

Reserved on: 15th April, 2025

Pronounced on: 30th April, 2025

+ BAIL APPLN. 837/2025

HARASH KUMAR

.....Petitioner

Through: Mr. Kirtiman Singh, Senior Advocate with Mr. Vaibhav Sethi, Ms. Priya Pathani and Mr. Abul Hasan Khan, Advocates.

Mr. Amit Choudhary and Ms. Kavya Dauk, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR.Respondents

Through: Mr. Hemant Mehla, APP with Mr. Rohit Chaudhary, Ms. Nandita, Ms. Akanksha T., Mr. Vikas Khoker, Mr. Shyam Singh, Ms. Asha Ahlawat, Mr. Gaurav Kumar, Ms. Nitika Balyan and Mr. Ram Chander Khatri, Advocates for the State.

Inspector Rahul Kumar, P.S. South Avenue.

SI Ranjana, P.S. Subzi Mandi.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

JUDGMENT

SANJEEV NARULA, J.:

1. Through the present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ (formerly Section 439 of the

¹ "BNSS"



Code of Criminal Procedure, 1973²), the Applicant seeks regular bail in proceedings arising from FIR No. 406/2024 registered under Sections 376, 354, 323, 506, 509 and 34 of the Indian Penal Code, 1860³ at P.S. Subzi Mandi. Subsequently, chargesheet qua the Petitioner has been filed under Sections 376/328/323/506/384/509/379/377 of IPC.

Factual Background

2. Briefly stated, the case of the prosecution is as follows:

2.1. The FIR was registered on 19th July, 2024, on the basis of a written complaint lodged by the Prosecutrix, Ms. 'S', aged about 40 years. According to the Prosecutrix, she first came into contact with the Applicant, in 2021, through social media, while seeking a social media influencer to promote her clothing brand, 'Rebelwood Sprite'. During initial interactions, the Applicant allegedly requested an iPhone to enhance content creation, which she arranged through an authorised Apple Store in Jammu. However, their professional relationship soured after the Applicant, attempted to resell the device. The authorised seller returned the money in the account of the Prosecutrix, but it was after deducting INR 20,000/-. Although the Applicant promised to return Rs 20,000/- to make up for the loss incurred by her, in some time, the Prosecutrix decided to end all ties with him.

2.2 In December 2021, the Applicant visited the Prosecutrix at her house in Noida, to return the sum of Rs. 20,000/- and apologize. He subsequently persuaded her to travel for a brand shoot in Connaught Place, Delhi. During the journey, Applicant allegedly administered intoxicants through sweets,

² "Cr.P.C."

³ "IPC"



causing her to feel dizzy and loss of consciousness. Contrary to assurances that she would be taken to Hindu Rao Hospital, the Applicant allegedly took her to a secluded area behind the hospital, sexually assaulted her, stole money from her purse, and captured her nude photographs.

2.3. Thereafter, the Prosecutrix was allegedly coerced into travelling to Jammu where she was subjected to continued sexual abuse, extortion, and threats over a two-and-a-half-year period. She alleges that the Applicant demanded money and jewellery, while threatening to release the compromising images. During a visit to his residence in Jammu in September 2023, the Prosecutrix informed the Applicant's parents [Mr. Tilak Raj and Ms. Seema Devi] about his conduct. Instead of receiving support, she alleges that she was physically and sexually assaulted by the Applicant's father. This led her lodging the FIR.

2.4. The Prosecutrix's medical examination was conducted *vide* MLC No. 4773/2024 at Hindu Rao Hospital, though she declined an internal examination.

2.5. The Prosecutrix recorded her statement under Section 183 BNSS, reiterating her initial complaint. A police team comprising of IO/SI Jyoti and other staff went to Jammu, and on 7th August, 2024, arrested the Applicant. One mobile phone was seized during arrest, and during police custody, another phone and a laptop were also recovered. From the Applicant's devices, some evidence in the form of voice messages and text messages, purportedly sent by the Prosecutrix to the Applicant were recovered, which the police claim, contradicted the allegations made in the FIR.

2.6. Notices were served to the Prosecutrix for production of her mobile phone. Initially, she submitted screenshots of chats and photographs, in a



pen drive, which included chats, images, and recordings allegedly showing the Applicant demanding money, sending obscene images, and issuing threats. Later, on 2nd September, 2024, she submitted her mobile phone, which confirmed that the contents of the pen drive matched the data stored on the Prosecutrix's device. The Prosecutrix provided screenshots, WhatsApp chats, screen recordings, and certain photographs where the Applicant was seen making sexual demands and threatening the Prosecutrix. Certain chats also depicted alleged friends of the Applicant demanding money from the Prosecutrix. Further, from the Applicant's seized mobile phone, screenshots of chats showing the Prosecutrix using abusive language and a voice recording expressing affection towards the Applicant were found. However, the Prosecutrix has categorically denied the veracity of such chats.

2.7. The Applicant provided his Google and iCloud IDs but refused to disclose passwords. Attempts to access his social media accounts *via* his registered number were unsuccessful.

2.8. The Prosecutrix submitted her bank statements to corroborate claims of financial transactions between her and the Applicant. Pursuant to notice under Section 94 of BNSS, the concerned banks have furnished transaction records, which confirm monetary exchanges.

2.9. On 14th August, 2024, the parents of the Applicant, were served notice under Section 35(3) of the BNSS and interrogated. They denied the allegations, and as no recovery was to be effected from them, they were not arrested.

2.10. During the course of the investigation, one Ms. Diya, allegedly a friend of the Applicant, was also interrogated. She denied any involvement the



alleged offence. In light of the allegations concerning her involvement, her mobile phone was seized, and examination of the same revealed certain Instagram chats under the username of the Prosecutrix indicating a consensual relationship between the Prosecutrix and the Applicant. However, the Prosecutrix disputes the authenticity of these chats.

2.11. Upon completion of the initial investigation, a chargesheet was filed against the Applicant for offences under Sections 376, 328, 323, 506, 384, 509, 379 and 377 of IPC. A charge sheet was also filed in respect of Co-accused Tilak Raj under Sections 323, 354, 354-A, 509 and 34 of IPC, and Seema Devi under Sections 323, 506, 509 and 34 of IPC. Ms. Diya was placed in Column No. 12.

2.12. The Applicant filed four applications seeking regular bail before the Sessions Court, which were rejected *vide* orders dated 3rd September, 2024; 4th October, 2024; 5th November, 2024; and 25th January, 2025.

2.13. Further investigation into financial transactions between the Applicant and the Prosecutrix is ongoing. Notices under Section 94 BNSS have been issued to Jammu and Kashmir Bank, Axis Bank, and ICICI Bank, and replies thereto are awaited.

The Applicant's Case:

3. Mr. Kirtiman Singh, Senior Counsel for the Applicant, advances the following grounds for grant of bail:

I. Alleged Illegality of Arrest and Violation of Article 22 of Constitution of India, 1950.⁴

3.1. It is submitted that the Applicant's arrest and continued custody are vitiated by a violation of Article 22(1) of the Constitution and Section 47 of



the BNSS. A team comprising SI Jyoti (IO), HC Sanjeev, and HC Anil left for Jammu on 5th August, 2024, and reached on 6th August, 2024. On the same day, a notice was served upon the Applicant directing him to join the investigation at P.S. Subzi Mandi on 7th August, 2024 at 1:00 PM. These facts are supported by the statements of HC Sanjeev and HC Anil recorded under Section 180 BNSS.

3.2. Contrary to the official record, the Applicant was in fact taken into custody on 6th August, 2024, at Jammu itself, and subsequently brought to Delhi. However, the arrest memo inaccurately reflects the date and place of arrest as 7th August, 2024, 1:00 PM, at P.S. Subzi Mandi.

3.3. The Prosecution's conduct contravenes Section 47(1) of the BNSS and Article 22(1) Constitution which mandate that a person arrested without a warrant must be informed, without delay, of the grounds of arrest. The arrest memo, apart from reflecting an incorrect date, fails to disclose any meaningful reason for the arrest, merely stating "address of the accused yet to be verified." This violates the provisions of Article 22(1) of the Constitution as well as Section 47 of the BNSS. Further, the Applicant was not produced before the Magistrate within 24 hours of his arrest. Hence the arrest of the Applicant is liable to be set aside, and he is entitled to be admitted to bail.

3.4. Reliance is placed on the decision of this Court in *Pranav Kuckreja v. State*,⁵ where the Court declared an arrest illegal for failure to communicate proper grounds, and followed the principles laid down in *Prabir*

⁴ "Constitution"

⁵ W.P.(CRL) 3476/2024



Purkayastha v. State (NCT of Delhi),⁶ emphasising necessity of forthwith communication of grounds of arrest. The Court deprecated the practice of filing generic reasons, while holding the arrest to be illegal and granting bail.

ii. The Consensual Relationship Between the Applicant and Prosecutrix.

3.5. The Applicant has been falsely implicated. The relationship between the Applicant and the Prosecutrix was entirely consensual, and the allegations made in the FIR are a result of a personal falling out. The Applicant denies issuing any threats or possessing any obscene photographs or videos. It is further contended that no such material was recovered from his devices during the investigation.

3.6. The Applicant, a resident of Jammu, had never visited Delhi NCR prior to 07th August, 2024, and the Prosecutrix's allegations regarding his visit to her house in Noida lack supporting evidence. The Investigating Agency has found voice and text messages, and Instagram chats which directly contradict the Prosecutrix's claims. These include statements made by the Prosecutrix expressing affection and acknowledging a personal relationship.

3.7. The Prosecutrix delayed submitting her phone for forensic analysis and deleted social media apps, preventing verification of the evidence. She also refused to provide her iCloud and Google ID, which suggests suppression of exculpatory material. Pertinently, efforts were made to collect evidence regarding the visit of the Applicant and Prosecutrix near

⁶ (2024) 8 SCC 254



Hindu Rao Hospital through Google and iCloud history. She later, through her reply of another notice, stated she was not carrying her mobile phone at the time of the alleged incident.

3.8. The Prosecutrix is stated to have travelled to Jammu on at least seven occasions between January 2022 and July 2023, as well as once more from 18th to 19th September, 2023. On each occasion, she stayed at the Radisson Blu Hotel, having independently booked the rooms in her own name. Hotel records further reflect that she availed amenities such as in-room dining and minibar services, which were paid for directly by her. These facts, it is submitted, belie the claim of coercion or continued sexual assault, and instead suggest that her visits were voluntary and indicative of a consensual relationship with the Applicant.

3.9. Additionally, the chats recovered from the phone of Ms. Diya, depict that the Prosecutrix and the Applicant were in a consensual relationship.

III. Additional Grounds:

3.10. There is an unexplained delay of approximately one year between the last alleged incident and the filing of the complaint, which raises serious questions about the credibility of the allegations.

3.11. The investigation stands concluded *qua* the Applicant. The chargesheet has already been filed and cognizance has been taken by the Trial Court *vide* order dated 05th October 2024. Hence, there is no need for continued custody. The Charges are yet to be framed. The prosecution has a listed 17 witnesses, and the trial is likely to considerable time. Thus, continued incarceration of Applicant, during the pendency of trial, serves no justifiable purpose and would amount to pre-trial punishment.



The Respondents' Case:

4. Mr. Hemant Mehla, APP for the State, opposes the bail application, submitting that the allegations against the Applicant are grave in nature, involving sustained acts of sexual exploitation, extortion, and threats. He highlights the Applicant's conduct during the period of alleged offence and throughout the investigation, particularly the use of abusive language, threats, and coercion directed at the Prosecutrix. In view of the serious nature of the offences and the pattern of intimidation, it is urged that no indulgence be shown at this stage.

5. Mr. Shikhar Srivastava, counsel for the Prosecutrix, also vehemently opposes the bail application on the following grounds:

5.1 The Applicant, during the course of investigation, not only failed to co-operate but also misled the Investigating Agency by providing incorrect details. When questioned about his previous mobile device, which was allegedly used in the commission of the offence, the Applicant falsely stated that he had disposed of the device by selling on OLX platform. However, it later came to light that the said mobile phone was found in possession of one Ms. Diya, who is suspected to be associated with the Applicant. The Applicant also declined to provide access credentials to his Google and iCloud accounts, thereby obstructing the investigation.

5.2. The Applicant, in collusion with the former Investigating Officer, attempted to tamper with crucial digital evidence. This act weighs heavily against the grant of bail.

5.3. Given the heinous nature of the alleged offences and the continuing threat the Applicant poses to the safety and well-being of the Prosecutrix, the request for bail should be denied.



5.4. A perusal of the WhatsApp chat records, submitted by the Prosecutrix, reveal that the Applicant repeatedly used abusive language, demanded money, and issued threats to circulate intimate images and videos if his demands were not met. These communications, demonstrate a pattern of extortion and psychological coercion.

5.5. Contrary to the Applicant's claim, the investigation is still ongoing. Important forensic evidence and proof regarding financial transactions is still pending and will be submitted with the supplementary chargesheet.

5.6 As regards the contention raised by the Applicant regarding alleged illegality in arrest, it is submitted that the records do not support this claim. The accused was not arrested on 6th August 2024. Only a notice to join the investigation was duly served upon the Applicant on 6th August, 2024, at Jammu, directing him to appear on 7th August, 2024 at 1:00 PM at P.S. Subzi Mandi, Delhi. The Applicant voluntarily accompanied the investigating team, expressing willingness to cooperate. During the journey, he was not placed under arrest or subjected to custody. Upon reaching Delhi, the accused failed to cooperate with the investigation, following which he was formally arrested. An arrest memo was duly prepared and signed by the accused, clearly stating the grounds of arrest and other relevant particulars. Furthermore, the charges against him had already been communicated through the notice served at the local police station in Jammu. Subsequently, the accused was produced before the magistrate within the mandatory 24-hour period, in full compliance with the law. In any event, the arrest pertained to offences punishable with imprisonment exceeding seven years, and hence, as per law, even a warrant was not necessary. Additionally, this Court, while hearing a bail application under section 483 of the BNSS, does



not have the jurisdiction to rule on the legality of the arrest, rendering that ground legally untenable.

Analysis

6. It is well-settled in law that at the stage of granting of bail, in serious and heinous offences, the Court must consider the following factors:⁷

- (i) whether there is any *prima facie* or reasonable ground to believe that the accused had committed the offence;
- (ii) nature and gravity of the accusation; the nature of evidence in support of the accusations
- (iii) severity of the punishment in the event of conviction;
- (iv) danger of the accused absconding or fleeing, if released on bail;
- (v) character, behaviour, means, position and standing of the accused;
- (vi) likelihood of the offence being repeated;
- (vii) Reasonable apprehensions of the witnesses being tampered with or the apprehension of there being a threat for the complainant should also weigh with the Court in the matter of grant of bail.
- (viii) danger, of course, of justice being thwarted by grant of bail.

7. At this stage, the Court is not expected to undertake a meticulous examination of the merits or weigh the probative value of each piece of evidence. Nonetheless, for the limited purpose of assessing whether a *prima facie* case exists against the Applicant, and whether there are compelling reasons to deny bail, the materials on record must be examined in a broad conspectus. The Applicant has relied upon certain chat conversations

⁷ *Bhagwan Singh V Dilip Kumar alias Deepu alias Deepak and Anr* (2023) 13 SCC 549; See also *Prasanta Kumar Sarkar v. Ashis Chatterjee*, (2010) 14 SCC 496



between the Prosecutrix and one Ms. Diya Sharma to contend that the relationship between him and the Prosecutrix was consensual in nature. On the other hand, the Prosecutrix, in her reply the prosecutrix, in her detailed reply to the present application, has produced a series of chats allegedly depicting the Applicant abusing, threatening, and extorting money from her. While the forensic analysis of these messages is awaited, the Investigating Officer has confirmed that the phone number from which these messages were sent stands admitted by the Applicant as belonging to him. A perusal of the said chats reveals a disturbing pattern of behaviour. The Applicant is seen issuing explicit threats to circulate obscene photographs of the prosecutrix, allegedly obtained without her consent, following a disclosure made by her to his family. He is further seen claiming that both he and his father are criminals and vowing not to spare her. The chats further show the Prosecutrix, evidently under duress, pleading with the Applicant and agreeing to comply with his demands. The Applicant thereafter directed the Prosecutrix to clarify to his father that everything that happened between them was consensual, and made further demands for monetary payments along with assurances that she would continue to keep him satisfied, in exchange for a conditional promise to finally delete the aforementioned material.

8. *Prima facie*, these chats indicate sustained and deliberate acts of blackmail, criminal intimidation, and extortion. They also portray a situation in which the prosecutrix appears to be under psychological duress, complying with the Applicant's demands to avoid reputational harm. It must be noted that the trial is at a nascent stage and the charges are yet to be framed. More importantly, the prosecution is yet to trace and recover the



allegedly obscene material forming the basis of the threats. This raises a very real concern that such material may continue to be used as a means of manipulation or intimidation as proceedings move forward. *Prima facie*, the Applicant's refusal to provide access to his Google and iCloud credentials, indicates a possibility that crucial electronic evidence is either being withheld or has been destroyed. In such circumstances, enlarging the Applicant on bail at this stage may prejudice the ongoing investigation and irreparably compromise the evidentiary chain.

9. The Court is also not persuaded by the Applicant's claim that the entire relationship was consensual. While the chats with one Ms. Diya Sharma have been cited in support of this argument, the same do not, at this stage, offset the nature and specificity of the threats extracted from the Applicant's own device. Even if the relationship is said to have been consensual, in the opinion of the Court, *prima facie*, a case of extortion under section 383 of the IPC is made out.

10. In light of the above, and considering the seriousness of the allegations, the involvement of threats to publish obscene material, and the ongoing investigation (including pending FSL reports), the Court is of the view Applicant is not entitled to bail. There exists a reasonable apprehension that the Applicant may tamper with evidence or influence witnesses, particularly the Prosecutrix. The Applicant is thus not entitled to bail as per the parameters noted above.

11. It is in this background that the Court must now evaluate whether the Applicant is otherwise entitled to bail on the ground that the grounds of arrest were not forthwith furnished to him in writing.

12. Mr. Kiritman Singh emphasised that that the failure to furnish the



grounds of arrest constitutes a violation of Article 22(1) of the Constitution, rendering the arrest unlawful and entitling the Applicant to bail. It is pointed out that the arrest memo discloses only reasons for the arrest and not the grounds. Reliance is placed on *Pranav Kuckreja v. State*,⁸ which affirms the legal position laid down in *Prabir Purkayastha v. State (NCT of Delhi)*.⁹ In *Prabir Purkayastha*,¹⁰ the Supreme Court, while referring to *Pankaj Bansal v. Union of India*,¹¹ held that the grounds of arrest must be communicated to the accused in writing and without delay, as mandated by Article 22(1) of the Constitution. Further, the Supreme Court drew a clear distinction between “grounds of arrest” and “reasons for arrest” and held that failure to comply with this requirement invalidates the remand and entitles the accused to bail. The relevant portion of the said judgement reads as under:

46. *Now, coming to the aspect as to whether the grounds of arrest were actually conveyed to the appellant in writing before he was remanded to the custody of the investigating officer.*

47. *We have carefully perused the arrest memo (Annexure P-7) and find that the same nowhere conveys the grounds on which the accused was being arrested. The arrest memo is simply a pro forma indicating the formal “reasons” for which the accused was being arrested.*

48. *It may be reiterated at the cost of repetition that there is a significant difference in the phrase “reasons for arrest” and “grounds of arrest”. The “reasons for arrest” as indicated in the arrest memo are purely formal parameters viz. to prevent the accused person from committing any further offence; for proper investigation of the offence; to prevent the accused person from causing the evidence of the offence to disappear or tampering with such evidence in any manner; to prevent the arrested person for making inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to the investigating officer. These reasons would commonly apply to any person arrested on charge of a crime whereas the*

⁸ Order dated 18th November, 2024 in W.P.(Crl) 3476/2024

⁹ (2024) 8 SCC 254

¹⁰ (2024) 8 SCC 254

¹¹ (2024) 7 SCC 599



"grounds of arrest" would be required to contain all such details in hand of the investigating officer which necessitated the arrest of the accused. Simultaneously, the grounds of arrest informed in writing must convey to the arrested accused all basic facts on which he was being arrested so as to provide him an opportunity of defending himself against custodial remand and to seek bail. Thus, the "grounds of arrest" would invariably be personal to the accused and cannot be equated with the "reasons of arrest" which are general in nature.

49. From the detailed analysis made above, there is no hesitation in the mind of the court to reach to a conclusion that the copy of the remand application in the purported exercise of communication of the grounds of arrest in writing was not provided to the appellant-accused or his counsel before passing of the order of remand dated 4th October, 2023 which vitiates the arrest and subsequent remand of the appellant."

13. Thus, the “grounds of arrest” must include specific details known to the investigating officer that justify the arrest of the accused. These grounds, communicated in writing, must outline the essential facts and circumstances that led to the arrest, ensuring the accused is informed of the basis for their detention. This provides the accused an opportunity to challenge the arrest, oppose custodial remand, and seek bail. Therefore, the position of law, in this regard, is that while the “reasons for arrest” are general and procedural, the “grounds of arrest” are personal, case-specific, and vital for the accused’s right to legal defence.

14. In light of the above legal position, it is pertinent to reproduce the arrest memo filed in the present case which reads as follows:



ARREST MEMO

P.S. Subzi Maudi Dist. North Date 19/7/24

1.	Name and Parentage of the Arrestee	Harash Kumar s/o Tilak Roy
2.	Address of the ARRESTEE	Present Tummal, Talab Tillo, Jammu
		Permanent - DO -
3.	FIR/D.D. No.	406/24
4.	Sec. of Law	U/S-376/354/506/509/523/34 IPC
5.	Place of Arrest	PS-Subzi Maudi
6.	Date of Arrest	7/8/24
7.	Time of Arrest	at 1 pm
8.	Name and Rank of Officer Making Arrest	SI Jyoti , No D-6235
9.	Person of the Arrestee to be informed with address and Telephone if any	Tilak Roy s/o Giridhari Phul Mob-9596621154

WITNESS :-

[Signature]

[Signature]
SIGNATURE OF ARRESTEE

[Signature]
HC SANJEEV KUMAR
No-12571N

[Signature]
SIGNATURE OF I.O.



Case FIR / DD No. 496/24 Dated 19/7/24 U/s 323/374/354/506/509b
 P. Subzi Mowdi Distt. North
 NAME OF ACCUSED.....

Reason of Arrest

1.	Prevent Accused person from committing any further offence	/
2.	For proper investigation of the offence	/
3.	To prevent the Accused person from causing the evidence of the offence to disappear or tampering with such evidence in any manner.	/
4.	To prevent such person from making any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or the police officer.	/
5.	As unless such person is arrested, his presence in the court whenever required cannot be ensured.	Address of the Accused yet to be verified.

(Jyoti)
 Police Station Subzi Mowdi

Dated 7/8/24

15. A perusal of the same reveals that there is merit in the contention raised by Mr. Kirtiman Singh. The arrest memo fails to disclose the grounds of arrest and only provides the reasons for the arrest, which does not fulfill the mandatory requirement of communicating the grounds of arrest to the



Applicant.

16. However, it is important to take note of the remand application, annexed with the instant bail application, whereby the prosecution, while requesting a 5-day police custody remand of the Applicant submitted as follows:

Fir No-406/24 Dt-19/07/24 U/s-376/354/323/506/509/34 IPC

PS- Subzi Mandi

Sub- Request for Police remand of accused Harash S/o Tilak Raj R/o Tummal, Talab Tillo, Jammu.

Sir.

It is submitted that the above mentioned case was registered in PS Subzi Mandi on the written complaint of complainant in which she stated that she was sexually assaulted by the accused Harash and he also captured her nudes photos in his mobile in year 2021. She further stated that accused forced her to come to jammu to him cash and sexual favour on basis of her nudes photos. Statement of victim was also recorded U/s-183 BNSS where she corroborated her complaint. Accused in the above case was arrested on Dt-07/08/24 by serving him notice at his resident Jammu. During investigation he did not co-operate in the investigation. He has remained silent regarding mobile phone, laptop and jewellery. Detailed investigation in this regard is required to be done from him regarding phone, laptop(Allegedly containing nude photos of victim),cash and jewellery of prosecutrix also recovery of articles required to be made. Accused permanent address of Jammu. Therefore 5 days PC remand of accused may be given for proper investigation, recreation of scene of crime in delhi of Jammu, recovery of mobile phone, laptop, jewellery.

17. As evident from the above, the remand application outlined the circumstances under which the FIR was registered. Thus, the remand application clearly set out the grounds for arrest, which are case-specific, and provided sufficient information for the Applicant to put forth a proper legal defence.

18. Regarding the claim that the Applicant was arrested on 6th August 2024 and not produced before a magistrate within 24 hours, it is important to



highlight that the arrest memo clearly states the date of arrest as 7th August 2024. While the Applicant alleges that this date was incorrectly recorded, it is noteworthy that the arrest memo bears the Applicant's signature.

19. In light of the above, in the opinion of this court, the grounds of arrest were in fact provided to the Applicant and he was given a fair opportunity to oppose the remand application. Thus, in the opinion of this court, violation of Article 22(1) of the constitution has also not been made out.

20. Accordingly, this court does not find it a fit case for grant of bail.

21. Dismissed.

SANJEEV NARULA, J

APRIL 30, 2025

as