

**IN THE COURT OF SH. DEVENDER KUMAR JANGALA,  
ASJ-05, NEW DELHI DISTRICT, PHC, NEW DELHI.**

**Bail application no. 1067/24; FIR no.213/24  
PS Special Cell  
State Vs. Mohit Goyal  
Under Section: 419/420/467/468/469/471/120B IPC**

24.07.2024

Present: Sh. Mukul Kumar, Ld. Addl. PP for the State.  
Sh. Kaushaljeet Kaith, Sh. Yash Chaturvedi and Sh. Praveen  
Kumar Yadav, Ld.counsel for the applicant/accused.  
IO/SI Krishan Kumar in person.

Reply to the bail application already filed.

Arguments at length are heard. Record perused.

This is the bail application under Section 439 Cr. PC moved  
on behalf of applicant/accused Mohit Goyal for grant of regular bail.

It is argued on behalf of applicant/accused that the applicant  
has been falsely implicated in the present case. That all the requisite  
recoveries have already been made and the applicant/accused is not  
required for investigation purposes. That the forgery of alleged document  
has to be tested at the time of trial, which is going to take substantial time.  
That the applicant/accused has been arrested on mistaken identity as the  
domain through which the alleged email was sent to the bank was  
registered in the name of one Mohit Khandani whereas the name of the  
applicant/accused is Mohit Goyal. That the applicant has no relation with  
the alleged offence. That the other accused Kumar Saurav has already been  
granted bail by Ld. Trial Court vide order dated 12.06.2024 and the  
applicant/accused stands on better footing than the said co-accused. That  
even if the entire version of the FIR is accepted as gospel truth, then also

no case is made out against the applicant/accused. That initially FIR was registered under Section 419/420/468/469471 IPC and during investigation Section 467 IPC has been invoked and there is no justification for invoking Section 467 IPC as there was no forgery of any valuable security as defined under Section 30 of IPC. That the applicant/accused has no relation with the alleged company whose account was allegedly sought to be defreezed. It is prayed that the applicant/accused may kindly be enlarged on bail.

On the other hand bail application is strongly opposed on behalf of State. It is argued that the allegations against the applicant/accused are grave and serious and the investigation is at the crucial stage. It is prayed that the bail application may kindly be dismissed.

I have considered the submissions made on behalf of applicant/accused and Ld. Addl. PP for the state and perused the record.

**Brief facts:** A complaint was made by Sh. Sidharth Luthra, Senior Advocate alleging that someone has created a forged legal notice and sent the same to Managing Director and CEO, IndusInd Bank Ltd. and other Senior dignitaries of the bank to release the funds of bank account no. 259910195500 in the name of Preach Well Technologies Pvt. Ltd. for obtaining wrongful gain in the name of the complainant. It is alleged that fabricated email and forged signatures of the complainant have been used.

It is reported by the investigating agency that the applicant is main conspirator who created fake email ID impersonating the complainant and sent the legal notice from the email ID which was created using the mobile number 7834938481. It is reported that the said mobile

number was recovered from the possession of the applicant/accused. The prosecution story is also supported with the disclosure statements of other accused persons who have alleged that the applicant/accused lured them to become Directors of the alleged firm to get released the funds of the said firm. The applicant/accused is also alleged to have created forged ID proofs in the name of Directors of alleged firm to impersonate as real Directors of the company with the help of one Surender Kumar. The investigation conducted and the incriminating recovery made by the investigating agency clearly points out the commission of alleged offence by the applicant/accused.

The allegations against the applicant/accused are grave and serious. The applicant/accused is also reported to be habitual offender involved in more than 40 cases of cheating and fraud. Investigation is at the crucial stage. Charge sheet is not yet filed. Other accused persons are absconding.

Though it is true that the applicant/accused is having the Constitutional right to life and liberty as per Constitution of India and the liberty of the accused can not be curtailed without the settled principal of law. However, the court has to maintain a balance between the rights of the accused and interest of society. The applicant/accused is a habitual offender involved in 40 other cases of same nature, therefore, if he is released on bail, there is every likelihood of repeat of commission of offence, as has been repeatedly done by him. Keeping in view the interest of society, the applicant/accused is not entitled to bail. The bail application under Section 439 Cr. PC moved on behalf of applicant/accused **Mohit**

**Goyal for grant of regular bail is accordingly dismissed.**

**Nothing expressed herein above shall tantamount to an expression of opinion on the merits of the case.**

Copy of this order be given dasti to Ld. Counsel for applicants/accused persons and in compliance of **Sanjay Singh Vs. State (Govt. of NCT of Delhi), Writ Petition Criminal no. 974/22**, copy of this order be also sent to the concerned Jail Superintendent to convey the order to the inmate.

**(Devender Kumar Jangala)**  
**ASJ-05, New Delhi District**  
**PHC, New Delhi/24.07.2024**