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

CNR No. DLHC010335892026

+ **BAIL APPLN. 2967/2026**

SACHIN SHARMA

.....Petitioner

Through: Mr. Sudhir, Mr. Jitender, Ms.
Sabina & Ms. Jyoti, Advocates.
[M:-9729506771]

versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Yudhvir Singh Chauhan, APP
SI Ashish, PS J.P. Kalan.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.08.2026

1. By way of this application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks anticipatory bail in connection with FIR No. 124/2025, dated 21.09.2025, registered at P.S. Jaffarpur Kalan, Delhi, under Sections 420/406 of the Indian Penal Code, 1860 ["IPC"].

2. The petitioner was granted interim protection by order dated 29.07.2026, recording as follows:

"3. The subject FIR was registered on 21.09.2025, pursuant to an order of the Magistrate's Court dated 16.09.2025, on an application filed by the complainant under Section 156(3) of the Criminal Procedure Code, 1973 ["CrPC"].

4. The FIR concerns alleged events and transactions that took place between 18.09.2022 and 16.01.2023. It is alleged by the complainant that on 18.09.2022, he approached the petitioner for



admission of his niece in the B.Sc. Nursing course at Kailash Institute of Nursing & Para-Medical Sciences, Greater Noida [hereinafter, the "Institute"]. Upon the petitioner's representation that he would be able to secure such admission, the complainant gave Rs. 50,000/- to the petitioner, in cash, on the same day. A further sum of Rs. 1,50,000/- was transferred to the petitioner's account on 15.09.2022 and 06.12.2022. On 11.01.2023, a sum of Rs. 50,000/- was transferred to the account of one Annu Kumar Rao, who is stated to be a teacher in the Institute, and on 16.01.2023, a sum of Rs.18,000/- was transferred to the Institute. However, in February 2023, when the complainant and his associates visited the Institute, they discovered that no classes were being held, and they were informed that the admission of his niece had not taken place due to an ongoing legal dispute with regard to seats in the Institute.

5. The petitioner approached the Sessions Court for anticipatory bail, which was rejected vide order dated 14.07.2026. The prosecution filed a status report dated 01.07.2026 before the Sessions Court, in which it was stated that the investigation was still in progress.

6. Learned counsel for the petitioner contends that the admission of the complainant's niece could not take place at that time, due to the litigation with regard to the seats in the Institute. He further contends that an amount of Rs. 1,45,000/- was returned to the complainant in the year 2022 itself, and that the Institute had also prepared a cheque dated 10.04.2023 of Rs. 18,000/- in the name of one Joginder Pal, i.e. father of the complainant's niece, which remains uncollected.

7. Having regard to the fact that the allegations in the FIR pertain to alleged transactions between September 2022 and January 2023, the FIR has been registered, and only in September 2025, upon the order of the Magistrate's Court under Section 156(3) of the CrPC, I am of the view that it is not justified at this stage to expose the petitioner to deprivation of his liberty, subject to his joining and cooperating in the investigation.

8. Mr. Chauhan states that the petitioner may report to the IO on Monday, i.e. 03.08.2026 at 04:00 P.M.

9. In present, subject to the petitioner joining the investigation on Monday, i.e. 03.08.2026 at 04:00 P.M., and thereafter, as and when required by the IO, the petitioner will not be arrested in connection with FIR No. 124/2025 dated 21.09.2025, registered at Police Station Jaffarpur Kalan, District Dwarka, Delhi, under Sections 420/406 of the IPC, until the next date of hearing."

3. Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor



for the State, submits, upon instructions from SI Ashish, Investigating Officer [“IO”], that the complainant has been duly informed of the date of hearing, but the complainant remains unrepresented. Paragraph 6 of the status report, which is on record, also reflects this position.

4. In the said status report, IO has confirmed that the petitioner has joined the investigation, and participated in the interrogation. He has revealed the amount of Rs. 1,50,000/- was received by him from the complainant and that an amount of Rs. 95,000/- was returned. The bank statements have also been verified. Although it is stated that certain aspects of the investigation remains pending, there is no allegation of non-cooperation on the part of the petitioner.

5. In the aforesaid facts and circumstances, the application is disposed of, with the direction that in the event of arrest, the petitioner will be released on bail upon furnishing of a personal bond in the sum of Rs. 25,000/- with one surety in the like amount, to the satisfaction of the concerned IO/Station House Officer/Arresting Officer, and subject to the following further conditions:

- a. The petitioner shall report to the IO, as and when required;
- b. The petitioner shall furnish his mobile number to the IO and shall ensure that the said mobile number remains operational and switched on at all times. The mobile number shall not be changed, nor shall the phone be switched off, without prior intimation to the IO;
- c. The petitioner shall furnish his residential address to the IO and shall not change the same without prior intimation to the IO;
- d. The petitioner shall not, directly or indirectly, influence the



complainant or any witness, nor shall he tamper with the evidence in any manner whatsoever;

e. The petitioner shall not commit any offence during the pendency of the proceedings.

6. The bail application stands disposed of in the above terms.

7. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail application, and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

PRATEEK JALAN, J

AUGUST 21, 2026
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