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

CNR No. DLHC010863352025

+ **BAIL APPLN. 4223/2025 & CRL.M.A. 32726/2025**

BRIJESH UPPAL

.....Petitioner

versus

STATE OF NCT OF DELHI

.....Respondent

CNR No. DLHC010863362025

+ **BAIL APPLN. 4224/2025 & CRL.M.A. 32729/2025**

JATIN UPPAL

..... Petitioner

versus

STATE OF NCT OF DELHI

.....Respondent

CNR No. DLHC010863372025

+ **BAIL APPLN. 4225/2025 & CRL.M.As. 32732/2025, 23257/2026**

PURNIMA UPPAL

..... Petitioner

versus

STATE OF NCT OF DELHI

.....Respondent

Appearance:-

Mr. Maninder Singh, Senior Advocate with Mr. Shaantanu Devansh, Ms. Sakshi Dara, Ms. Janvi Narang, Ms. Disha Hooda, Mr. Sagar Priyadarshi, Ms. Geetanjali Reddy & Ms. Anurupita Kaur, Advocates for Petitioner in Item Nos. 2 to 4.

Mr. Hitesh Vali, APP for State.



SI Rahul, PS Safdarjung Enclave.
Mr. Praveen Tanwar & Mr. Harjas Singh, Advocates
for Complainant.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **10.08.2026**

1. By way of the present applications filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], the applicants seek anticipatory bail in connection with FIR No. 171/2025 dated 21.04.2025, registered at Police Station Safdarjung Enclave, Delhi, for offences punishable under Sections 420, 406 and 120-B of the Indian Penal Code, 1860 ["IPC"].
2. The applicants are related to one another as well as to the complainant. The complainant was married to Late Gaurav Goel [hereinafter, "Gaurav"], who passed away on 30.04.2021. The applicant – Purnima Uppal, in BAIL. APPL. 4225/2025 is the sister of Gaurav. The applicants in BAIL. APPL. 4223/2025 and BAIL. APPL. 4224/2025, namely Brijesh Uppal and Jatin Uppal, respectively, are the husband and son of Purnima Uppal. The applicants are all referred to by their first names in this order, for ease of reference.
3. I have heard Mr. Maninder Singh, learned Senior Counsel for the applicants, Mr. Hitesh Vali, learned Additional Public Prosecutor for the State, and Mr. Harjas Singh, learned counsel for the complainant. The prosecution has also filed common status reports on 11.11.2025 and 08.07.2026, which are on record in BAIL APPLN. 4225/2025:
4. The prosecution case, as it emerges from the material placed on



record, may be summarised as under:

- a) The complainant married Gaurav on 15.02.2021. Gaurav subsequently passed away on 30.04.2021 due to COVID-related complications, followed by the death of his father on 30.05.2021. At the time of Gaurav's demise, the complainant was pregnant and subsequently gave birth to a child on 09.10.2021.
- b) The accused, being the sister, brother-in-law and nephew of Gaurav, allegedly represented to the complainant that Gaurav had left behind certain outstanding debts, which were required to be discharged from the proceeds of his insurance policies and other assets. Being close family members, the complainant relied upon the accused to assist her in managing her financial affairs, as she was not well-versed in such matters.
- c) Purnima and Brijesh allegedly informed the complainant that Gaurav had sold two properties in Gurugram and received the sale proceeds therefrom, but that the requisite paperwork in respect thereof was yet to be completed, for which purpose she was required to sign certain documents.
- d) Relying upon their representations, the complainant signed blank papers and other documents furnished to her by the accused. She was also allegedly induced to accompany the accused to various government offices on the pretext of completing formalities for incorporating the name of her daughter in various documents.
- e) It is further alleged that Purnima forged Gaurav's signatures on various documents.
- f) During this period, the complainant's jewellery and important



documents relating to her husband's property remained in the possession of the accused. It is also alleged that the complainant was not permitted to meet anyone other than the accused, who further exerted pressure upon her to hand over custody of her daughter to them.

- g) Subsequently, on 27.11.2023, the complainant left her matrimonial home alongwith her daughter and proceeded to her parental home in Kolasib District, Mizoram.
- h) After registration of the FIR, the complainant was examined and reiterated the aforesaid allegations. She further stated that Brijesh and Purnima had sold two of Gaurav's properties and taken cash. in the accounts of the complainant and her daughter, which were allegedly being managed by them and their sons. It was further alleged that money had been withdrawn from the said accounts without her consent. The complainant also provided details of four bank accounts, three of which were held in her name and one in the name of her daughter. It was further alleged that Jatin was a joint holder in one of the said accounts, having represented himself as the husband of the complainant. The details of the aforesaid four bank accounts, all maintained with ICICI Bank, are set out below:

Account Number	Name of the Account Holder	Date of account opening	E-mail ID	Mobile Number
007101059681	Complainant and Jatin Uppal	17.12.2022	jjatinuppal15@gmail.com [belonging to	N/A



			Jatin]	
344501001750	Complainant	23.08.2021	purnimauppal.29@gmail.com [belonging to Purnima]	8826840819 [belonging to Brijesh]
007101565272	Complainant	14.01.2019	yeetbhanu@gmail.com [appears to belong to Bhanu Uppal, son of Purnima]	8826840819 [belonging to Brijesh]
007101568898	Complainant's daughter [Gauri Goel]	08.09.2021	Bhanuuppal.bu@gmail.com [appears to belong to Bhanu Uppal, son of Purnima]	Mobile number registered in Gaurav's name, allegedly used by the accused.

- i) It is stated that Brijesh and Purnima purchased a Mercedes E-Class vehicle in the complainant's name and made payments towards the purchase from her bank account, without her knowledge or consent. However, possession of the vehicle was never handed over to the complainant, and the vehicle was allegedly used by Brijesh and Purnima.
- j) It is further stated that the complainant's contact details were not linked to any of the aforesaid bank accounts and that the accounts were being operated solely by the applicants. The bank statements in respect of the aforesaid accounts allegedly corroborate the complainant's contention that the accounts continued to be operated by the accused even after the complainant and her



daughter had shifted to her parental home in Mizoram. It is further alleged that substantial amounts of money were siphoned off from the aforesaid accounts. The banking documents, including the debit cards and cheque books, are yet to be recovered, as is the car standing in the name of the complainant.

- k) An employee of ICICI Bank who had opened two of the aforesaid accounts [Account Nos. 007101565272 and 007101568898] stated that the said accounts were opened at the request of Brijesh, and that the requisite details were filled in by Brijesh and his sons.
- l) One of the account was a joint account of the complainant and Jatin, in which Jatin introduced himself as the complainant's husband. However, on 02.09.2025, Jatin wrote to the bank stating that his name had been erroneously recorded as the spouse of the complainant.
- m) The complainant's statement under Section 183 of the BNSS was recorded, wherein she reiterated the allegations in the FIR, and further stated that Purnima and her family members had taken away most of her jewellery, while her diamond jewellery had allegedly been taken away by another sister-in-law.
- n) The applicants rely upon a Will dated 27.11.2020, purportedly executed by Gaurav Goel, in respect of which probate proceedings are pending before this Court. The complainant has alleged that the said Will is forged, pursuant to which Sections 342, 467, 468 and 471 of IPC have been added.
- o) The original Will is yet to be sent for FSL examination. It is further alleged that the signatures of Gaurav appearing on his marriage



certificate with the complainant are also forged.

p) The accused could not be traced and did not respond to notices issued under Section 35(3) of the BNSS. They were also issued notices under Section 94 of the BNSS, requiring them to produce certain documents and articles, including the aforesaid will, marriage certificate and car. However, applicants did not join the investigation and, instead, sent messages to the Investigating Officer, which are reproduced hereinafter.

5. When the present bail applications were first listed before this Court on 06.11.2025, notice was issued and time was granted for filing of the status reports/replies. The Court also recorded the submission of the learned APP that no coercive action would be taken against the applicants until the next date of hearing. The aforesaid interim protection was thereafter continued from time to time.

6. Thereafter, on 14.11.2025, the Investigating Officer was directed to issue notice to the applicants to join the investigation. On 17.11.2025, the parties were referred to mediation by this Court. By order dated 22.05.2026, this Court noted that the mediation proceedings had been unsuccessful. The following further orders were thereafter passed:

“4. It is contended by Mr. Kunal Tandon, learned Senior Counsel for the applicants, that the applicants have joined investigation and cooperated with the Investigating Officer.

5. Ms. Manjeet Arya, learned APP, however, submits that the applicants have not cooperated in the investigation. She states that they have not produced the original will of Late Mr. Gaurav Goel, upon which they seek to rely, and have also not produced a vehicle, which is the subject matter of the complaint.

6. Mr. Tandon submits that the applicants are willing to cooperate, and to produce any document or other material, as required by the Investigating Officer, in accordance with law.



7. *The Investigating Officer is directed to file an updated status report with regard to the status of the investigation before the next date of hearing.”¹*

7. In the further status report dated 08.07.2026, the prosecution has set out the status of the investigation, and alleged non-cooperation on the part of the applicants. Purnima has, in response, filed an application [CRL.M.A. 23257/2026 in BAIL APPLN. 4225/2025], placing on record certain communications exchanged with the police officials, in support of the applicants’ contention that they have been cooperating with the investigation.

8. While considering an application for anticipatory bail, the Court is required to balance the liberty of the accused against the larger public interest in ensuring a free and fair investigation. The Supreme Court, in *Srikant Upadhyay v. State of Bihar*², while describing anticipatory bail as an *extraordinary remedy*, emphasised the need for judicial circumspection in exercising such jurisdiction, observing as follows:

*“30. We have already held that **the power to grant anticipatory bail is an extraordinary power. Though in many cases it was held that bail is said to be a rule, it cannot, by any stretch of imagination, be said that anticipatory bail is the rule. It cannot be the rule and the question of its grant should be left to the cautious and judicious discretion by the court depending on the facts and circumstances of each case.** While called upon to exercise the said power, **the court concerned has to be very cautious as the grant of interim protection or protection to the accused in serious cases may lead to miscarriage of justice and may hamper the investigation to a great extent as it may sometimes lead to tampering or distraction of the evidence.** We shall not be understood to have held that the court shall not pass an interim protection pending consideration of such application as the section is destined to safeguard the freedom of an individual against unwarranted arrest and we say that such orders shall be passed in eminently fit cases. At any rate, when warrant of arrest or proclamation is issued, the applicant is not entitled to invoke the*

¹ Emphasis supplied.

² (2024) 12 SCC 382 [hereinafter, “*Srikant Upadhyay*”].



extraordinary power. Certainly, this will not deprive the power of the court to grant pre-arrest bail in extreme, exceptional cases in the interest of justice. But then, person(s) continuously defying orders and keeps absconding is not entitled to such grant.”³

In undertaking this exercise, the Court must take into account, *inter alia*, the requirement of custodial interrogation and the *prima facie* material available against the accused.

9. Applying these principles to the present case, I am of the view that this is not a fit case for grant of anticipatory bail to the applicants.

10. The allegations are serious and pertain to an alleged breach of trust by close family members, being the complainant’s sister-in-law, her husband and their son. The allegations are supported by the complainant’s statement under Section 183 of the BNSS and by *prima facie* material collected during investigation, including banking records and the statement of a bank employee.

11. At this stage, the Court cannot conduct a mini trial, but must undertake a *prima facie* assessment of the material available. In this connection, it maybe noted that in her statement under Section 183 of the BNSS, the complainant has substantially reiterated the allegations contained in the FIR. A copy of the said statement has been handed over in Court and is taken on record.

12. The banking records placed before the Court also require further investigation. The bank statement pertaining to the complainant’s Account No. 344501001750, which bears Purnima’s e-mail ID, *inter alia*, reflects withdrawal of Rs. 21,00,000/- by Rohan Uppal, stated to be Purnima’s son, on 20.06.2022. Thereafter, Rs. 25,00,000/- was credited to

³ Emphasis supplied.



the account by Jatin on 04.07.2022, followed by a withdrawal of Rs. 15,00,000/- by him on 17.09.2022. The entries thus reflect that substantial transactions took place, in an account which was allegedly being operated by the accused, but was in the name of the complainant/her daughter.

13. The Customer Relationship Form of ICICI Bank pertaining to Account No. 007101059681, a joint account held in the name of the complainant and Jatin, further records Jatin as the complainant's spouse, alongwith his e-mail ID, at the time of registration of the account.

14. The statement of an independent person, being the ICICI Bank Relationship Manager, has also been recorded. He *inter alia* stated that he had he opened Account No. 007101568898 in the name of daughter of the complainant in April 2022 and Account No. 007101565272 in the name of the complainant in June 2022, at the request of Brijesh, whom he knew as a customer alongwith his family. He stated that Brijesh filled out the application forms and provided the requisite identification documents. He further stated that Brijesh's son, Bhanu Uppal, on his directions, subsequently confirmed the e-mail IDs and other details.

15. In the present case, the material noticed hereinabove, at this stage of the proceedings, cannot, in my view, obviate the need for custodial interrogation altogether. As observed by the Supreme Court, *inter alia*, in *State v. Anil Sharma*⁴, and recently, in *P. Krishna Mohan Reddy v. State of A.P.*⁵, custodial interrogation is more effective in eliciting the truth than interrogation conducted while the accused remain protected by orders of the Court.

⁴ (1997) 7 SCC 187.

⁵ 2025 SCC OnLine SC 1157, paragraph 19.



16. The subsequent conduct of the applicants, in fact, demonstrates their non-cooperation, despite interim protection granted by this Court. In the application filed by Purnima [CRL.M.A. 23257/2026 in BAIL APPLN. 4225/2025], copies of notices issued to the applicants under Section 94 of the BNSS have been placed on record. The said notices were issued to Brijesh and Jatin on 24.06.2026, and to Purnima on 26.06.2026 and 01.07.2026, after the order of this Court dated 22.05.2026, in which they undertook to cooperate with the investigation. The notices required the accused to produce the alleged Will of Gaurav, the marriage certificate of Gaurav and the complainant, and the Mercedes car registered in the name of the complainant, alongwith the keys thereto. Instead of appearing before the Investigating Officer and complying with the notices, the applicants responded by a WhatsApp message, which reads as follows:

“Received your notice dt. 25.06.2026 regarding production of documents.”

I want to put to your kind notice that the same has already been argued upon in the court of Hon'ble Justice Ajay Digpaul ji on dt. 17.11.2025 where my lawyers has already provided the car keys and other arguments in the Hon'ble Court. As per the previous direction of the Hon'ble court in the order dated 14.11.2025 we have already joined the investigation at length on 15.11.2025 and 16.11.2025 wherein you have sent us the same notice on 15.11.2025 (copy of notice attached) around 8:00PM in which you were asking about the same things. We were providing you with the car but you were not providing any seizure memo for it.

*The same was brought and argued in the court on 17.11.2025 and my lawyers provided the car keys and car registration certificate in the court of Hon'ble Justice Ajay Digpaul ji, **the Hon'ble judge after the arguments returned the keys by stating "dont spoil the new car by keeping it in the police station as it is a family matter"** and emphasised by saying "Family mei toh aisa hota rehta hai uska matlab yeh nahi ki cheeze kharab kardo".*



The Hon'ble Judge also asked the police to investigate Kimneihmawii as to how she landed in Gaurav Goel house in 2019, how she met and married Gaurav Goel in 2021 and immediately after the wedding Gaurav Goel and his father Sidharth Mohan Goel passed away in 1 month time and also remarked that "aise hi FIR nahi karte, FIR karne se pehle aur bhi cheeze investigate karni hoti hai especially jab family matter ho". He further added "inko na bulaye aur complainant side ki inquiry kare".

Also, the Hon'ble Judge on 17.11.2025, raised concerns about the authenticity of the Complaint given by Kimneihmawii as according to her complaint she is not well versed in the laws and languages and yet the complaint was drafted in English for which he questioned the APP and the APP was continuously asking one Praveen Kumar for the answers and further the judge called Praveen Kumar (who is a witness in the ATS in 2022) and questioned him directly about the complaint in the court. Praveen Kumar is the same person who is the interested party for the properties of Gaurav Goel and Sidharth Mohan Goel against whom we have given several complaints to the police authorities and till now there is no action over the complaints.

Also, the house no. N-19 Green park extension is also a case property in this FIR which has also been bought in the name of Kimneihmawii which you have never mentioned in your status reports which we have mentioned multiple times also have told you and the SHO Safdarjung Enclave that there are unknown people sitting inside N-19 Green Park Extension house for which me and my family has already given multiple complaints (copy attached), yet there is no action taken to protect our interest and rights against these goons inside the house.

We have given multiple complaints and yesterday i.e 29.06.2026, another shocking incident happened with me (Purnima Uppal), we am still in complete shock and trauma and scarred about the well being of me and my family.

Further for your kind notice, we do not have the marriage certificate of Kimneihmawii.

We have always cooperated everytime with the investigation authorities and will still do in accordance with the law, yet there a continuous threat to me and my family and there is no safe guard or protections of my rights.

As and when required by law, we are available.

Thank you



Brijesh Uppal and Jatin Uppal

30/06/2026

9667788513”⁶

17. The response to the subsequent notice followed substantially the same course. The said response reads as follows:

“I want to put to your kind notice that as per the previous direction of the Hon'ble court in the order dated 14.11.2025 we have already joined the investigation at length on 15.11.2025 and 16.11.2025, wherein in the notice dt 15.11.2025 you have already asked us about the car which we were ready to provide you but you were not providing any seizure memo for it.

*The same was brought and argued in the court on 17.11.2025 and my lawyers provided the car keys and car registration certificate in the court. **The Hon'ble court after the arguments returned the keys and gave clear directions to the IO by stating "dont spoil the new car by keeping it in the police station as it is a family matter"***

*I further want to bring to your notice that the **probate petition regarding the Will of Late Shri Gaurav Goel in pending before the Hon'ble Delhi High Court** having Case No. 96/2024 and the Hon'ble court has granted a Status quo. The original Will is the subject matter of the Hon'ble Delhi High Court for which I am attaching the photocopy of probate petition and the Will for your reference along with orders of the Hon'ble Court.*

*Further, **we do not have the marriage certificate of Kimneihmawii.***

We have always cooperated every time with the investigation authorities and will still do in accordance with the law.

As and when required by law, we are available.

Thank you

Purnima Uppal (8826840819)

Brijesh Uppal

Jatin Uppal”⁷

⁶ Emphasis supplied.

⁷ Emphasis supplied.



18. The conduct of the applicants demonstrates that, despite being protected by interim orders of this Court, they have not been forthcoming with the investigation. Rather than appearing before the Investigating Officer and cooperating with the investigation, they have sought to rely upon alleged oral observations of the Court, which, according to them, absolve them from the requirement of complying with the directions of the Investigating Officer. It may, however, be noted that no such observations find place in any of the orders passed by this Court. To the extent that the applicants rely upon the alleged will of Gaurav, it maybe noted that the bank accounts and car mentioned above, are in the name of the complainant/her daughter, and not in the name of her late husband. Insofar as the applicants' allegations with regard to interference in any other properties are concerned, they are free to take their remedies, as available in law, but cannot seek to obstruct investigation of the present FIR on such a ground.

19. The orders dated 14.11.2025 and 22.05.2026, make it clear that the Investigating Officer was within his authority to require the applicants to join and cooperate with the investigation. The applicants could not, therefore, treat the alleged oral observations relied upon by them, as a substitute for compliance with the express direction of the Court or the subsequent notices issued by the Investigating Officer. Their failure to appear and cooperate, particularly when material requiring investigation continues to remain unexplained, is a relevant circumstance while considering grant for anticipatory bail.

20. For the reasons recorded hereinabove, I am of the view that the applicants are not entitled to the extraordinary remedy of anticipatory



bail.

21. The present bail applications, alongwith pending applications are, accordingly, dismissed.

22. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail applications, and shall not be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

AUGUST 10, 2026
SS/SD/