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

+ **BAIL APPLN. 4310/2025**

MS. KANIKA BAHETI

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Rajesh Ranjan & Mr. Sohaib Alam,
Advts.

versus

STATE (NCT OF DELHI) & ANR.

.....Respondents

Through: Mr. Shoaib Haider, APP.
Inspector Mahesh Kumar PS DIU
Shahdara.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **30.07.2026**

1. The present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita 2023 [**"BNSS"**] (erstwhile Section 438 Cr.P.C.) read with Section 528 of BNSS (erstwhile Section 482 Cr.P.C.) seeking anticipatory bail of applicant in connection with FIR No. 0167/2025 dated 29.07.2025 registered under sections 420/406/34 of the Indian Penal Code, 1860 [**"IPC"**] at P.S. GTB Enclave, Delhi.
2. On the first date of hearing, i.e., 12.11.2025, while issuing notice in the present petition, this Court stayed the arrest of the applicant, subject to the condition that she shall join the investigation as and when required by the Investigating Officer.
3. Mr. Shoaib Haider, learned APP for the State, submits that pursuant to



the order dated 12.11.2025, the applicant joined the investigation on two occasions as directed. It is, however, submitted that the investigation is still in progress, the chargesheet has not yet been filed, and there are two accused persons in the present case.

4. Mr. Anoop Manocha, who appeared through video conferencing and claimed to be the father of the complainant, submitted that the applicant has deposited a sum of ₹45 lakhs. He, however, contended that the said amount constitutes only a part payment and not the entire amount allegedly due. He further submitted that the allegations are serious and that the applicant, along with the co-accused, has siphoned off the money of innocent parents.

5. The Court has considered the submissions made by learned counsel for the parties and also perused the record.

6. The FIR came to be registered on 29.07.2025, whereas the alleged commission of the offence is stated to have taken place from 01.01.2022 to 30.06.2024. As per the FIR, during reconciliation of fee payments made by the parents, the school management detected suspicious transactions in the ERP/fee management software. It is alleged that the former Fee In-charge, Ms. Sonia, after collecting school fees in cash from the parents and issuing receipts, in conspiracy with one Mr. Shailender Kumar, and other involved staff members, subsequently backdated the cash receipts in the ERP/fee management software by 2 - 3 years and, in several instances, converted the entries from cash payments to online payments, thereby facilitating the alleged siphoning of approximately ₹97 lakhs from the school.

7. It is further alleged in the FIR that Ms. Kanika, the present applicant, voluntarily provided certain evidence and a statement to the school management. As per the complaint, she stated that Ms. Sonia was



backdating fee receipts in the ERP system and converting cash payments into online payment entries, thereby bypassing the actual mode of payment.

8. The overall facts and circumstances of the case indicate that the principal allegations are primarily directed against two accused persons. However, this Court refrains from expressing any conclusive opinion on the merits of the case at this stage. It is not disputed that the applicant has joined the investigation and has cooperated with the Investigating Officer pursuant to the interim protection granted by this Court. The applicant was employed with the school at the relevant time.

9. The principles governing the grant of anticipatory bail have been succinctly explained by the Supreme Court in ***Siddharam Satlingappa Mhetre v. State of Maharashtra***¹. The Supreme Court observed that where an accused has joined the investigation, is cooperating with the investigating agency, and is not likely to abscond, custodial interrogation ought to be avoided. The relevant paragraphs are extracted hereinbelow:

“89. It is imperative for the courts to carefully and with meticulous precision evaluate the facts of the case. The discretion must be exercised on the basis of the available material and the facts of the particular case. In cases where the court is of the considered view that the accused has joined investigation and he is fully cooperating with the investigating agency and is not likely to abscond, in that event, custodial interrogation should be avoided.

90. A great ignominy, humiliation and disgrace is attached to the arrest. Arrest leads to many serious consequences not only for the accused but for the entire family and at times for the entire community. Most people do not make any distinction between arrest at a pre-conviction stage or post-conviction stage.”

¹ (2011) 1 SCC 694



10. Bearing in mind the overall facts and circumstances of the case, this Court is inclined to confirm the interim order dated 12.11.2025 Accordingly, it is directed that, in the event of the applicant's arrest in connection with the present FIR, she shall be released on bail, subject to such conditions as may be imposed by the concerned Investigating Officer.

11. In view of above, the petition stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

JULY 30, 2026

Ab/sa