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

+ BAIL APPLN. 2805/2024 and CRL.M.A. 23548/2024

PRADEEP

.....Petitioner

Through: Mr.Hirein Sharma, Mr.Aamir,
Mr.Vimal, Mr.Mandeep, Mr.Aman and Mr.Balaji,
Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State with
Insp. Sachin

+ BAIL APPLN. 2807/2024 and CRL.M.A. 23553/2024

ASHWANI NARWAL

.....Petitioner

Through: Mr.Hirein Sharma, Mr.Aamir,
Mr.Vimal, Mr.Mandeep, Mr.Aman and Mr.Balaji,
Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State with
Insp. Sachin

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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08.08.2024

1. By way of the present bail applications, the applicants seek anticipatory bail in FIR No.354/2024 registered under Sections 420/468/471/120 IPC at P.S. IGI Airport.



2. Learned counsel for the applicants submits that during investigation, the applicants were issued notice under Section 41(a) Cr.P.C. pursuant to which they have joined the investigation. Even during the pendency of the anticipatory bail applications before the Sessions Court, initially interim protection was granted and the applicants joined the investigation.

3. It is the case of the applicants that, as per the prosecution case, the applicants are alleged to be involved in the issuance of CDC (Continuous Discharge Certificates) to one *Jaiveer Singh* and *Kulwinder* respectively. The present case came to be registered when 4 passengers were apprehended at the Airport on suspicion, on disclosure their documents were verified. The passengers were travelling on CDCs which enable them to travel abroad. On verification, while the CDCs issued in the name of *Jaiveer Singh* and *Kulwinder* were found to be genuine, the CDCs with respect to the other two passengers, namely *Dilsher Singh* and *Harmanjot Singh* were found to be fake. The accompanying documents in the nature of OK to board, guarantee letter and invitation letter were, however, found to be fake with respect to all the passengers.

4. Learned counsel for the present applicants contends that insofar as the present applicants are concerned, their alleged roles are restricted to *Jaiveer Singh* and *Kulwinder*, whose CDCs were found to be genuine. It is stated that except for the disclosure statements of the said two persons, there is no other material collected during the investigation.

5. Learned APP for the State has vehemently opposed the bail applications. He submits that the applicants are involved in a serious offence where innocent passengers are lured for being sent abroad. In the present case, the passengers were promised that they would be sent to England for



which a hefty sum was charged. As per the disclosure statement, the said four passengers were asked to pay Rs.22,00,000/- out of which *Jaiveer Singh* and *Kulwinder* have paid a sum of Rs.6,00,000/- and Rs.2,00,000/- respectively as advance and the remaining were to be paid after reaching England. It is further stated that, during investigation, a sum of Rs.65,000/- and Rs.98,000/- respectively were found transferred in the accounts of the present applicants from the two passengers *Jaiveer Singh* and *Kulwinder*. Further, a sum of Rs.8,00,000/- is also stated to have travelled in the account of applicant/*Ashwani Narwal* from the account of *Narender*, who had booked the tickets for *Dilsher Singh* and *Harmanjot Singh*. A status report has been handed over in Court today, which is taken on record.

6. I have heard learned counsel for the applicants as well as learned APP for the State and have also gone through the material placed on record.

7. Considering the totality of the case, the material collected so far is the disclosure statement of the co-accused passengers and transfer of certain sums of money to the applicants' account. From the aforesaid conspectus of facts, it appears that insofar as the CDCs are concerned, the same issued in favour of *Jaiveer Singh* and *Kulwinder* have been found to be genuine. Insofar as allegations of forging the allied documents are concerned, there is only disclosure of the co-accused against each other.

8. Considering the totality of the facts and circumstances of the case, it is directed that in the event of arrest, the applicants be released on bail subject to their furnishing a personal bond in the sum of ₹25,000/- each with one surety of like amount, to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and further subject to the following further conditions:-



- (i) At the time of furnishing bail bond, the applicants shall provide their mobile numbers, which they undertake to keep operational at all times during the pendency of the trial.
- (ii) The applicants shall join the investigation as and when asked.
- (iii) The applicants shall inform the concerned Investigating Officer about their current residential address.
- (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicants shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicants shall regularly appear before the trial Court.

9. The applications are disposed of in the above terms alongwith the pending applications.

10. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail applications.

MANOJ KUMAR OHRI, J

AUGUST 8, 2024
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