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

+ **BAIL APPLN. 253/2025, CRL.M.A. 1752/2025**

KESHAR DEO

.....Petitioner

Through: Mr. Prashant Singh, Advocate.

versus

THE STATE NCT OF DELHI THROUGH ACP

.....Respondent

Through: Ms. Meenakshi Dahiya, Ld. APP for
the State with ACP Naresh Kumar
and Insp. Gulshan Yadav, AGS,
Crime Branch.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

20.02.2025

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1. The Third Application under Section 482 read with Section 528 BNSS, 2023 has been filed on behalf of the Petitioner/Applicant Keshar Deo seeking pre-arrest bail in case FIR No.360/2019 under Sections 419, 420, 468, 471 IPC read with Section 7/13 POC Act, 1988 P.S. Crime Branch.

2. It is submitted that the allegations against the Applicant as per FIR are that while serving as Sub Inspector and posted as Enquiry Officer in the Special Branch, West Zone, P.S. Inderpuri, he fraudulently verified 39 Passport Verification Forms. The Applicant claims that these allegations are entirely baseless and he has been wrongly made a scapegoat in the matter because of the Internal Departmental Issues and grudges borne by the colleagues and Officers. He has not committed any offence as alleged in the FIR.

3. The First Anticipatory Bail Application No.4149/2024 was filed



before this Court on 07.11.2024. However, due to the subsequent events Non Bailable Warrants had been issued against him.

4. The **First Anticipatory Bail Application** was withdrawn from this Court with liberty to approach the learned Trial Court.

5. Thereafter, the **Second Anticipatory Bail Application** was filed before the learned Trial Court which has been dismissed vide Order dated 07.01.2025. This is the **Third Anticipatory Bail Application** which has been filed on behalf of the Petitioner.

6. It is submitted that the **grounds** on which the Bail is sought is that the Applicant has already been subjected to detailed interrogation and that the Trial Court has failed to consider that the Applicant has not verified a single passport of Afghan National or a person who is not a citizen of India. The Landlord and the Passport Applicant may have connived/conspired to obtain the Passport, but the Applicant has not given any false Declaration on fabricated documents.

7. The FIR was registered on 31.12.2019 and till date no substantive evidence to link the Applicant with the purported crime, has been collected. Further, no additional incriminating evidence has been found against the Applicant during the interrogation of the co-accused persons. The investigations conducted so far, also do not disclose that the Applicant has either acquired disproportionate assets or has taken illegal gratification. No recovery has been made from the Applicant. He has fully cooperated with the I.O during the investigations.

8. Hence, the Anticipatory Bail is sought by way of the present Application.

9. **The Status Report** has been filed on behalf of the State, wherein it is



submitted that total of 343 Passport Verifications were cleared by six Police Officials including the present Applicant. He had carried out the Passport Verification of 40 Applicants which have been found out incorrect. It is claimed that the Applicant along with his associates and the passport Applicants, had hatched a calculated and premeditated conspiracy to obtain Indian Passports for individuals who were not eligible, by using forged and fabricated identity and residence proofs. The alleged Passport Holders were detained at different Airports due to their LOCs and subsequently arrested.

10. The Applicant did not in fact, visit the given addresses mentioned in the Passport Applications but instead provided a positive report about verification of their addresses.

11. The Non Bailable Warrants have been issued against the Applicant on 10.01.2025. He is evading arrest. The process under Section 82 Cr.P.C has been directed to be issued on 10.01.2025. Therefore, the Bail Application is opposed.

12. **Submissions heard and record perused.**

13. The Complaint dated 18.12.2018 was received in the office of DCP, Special Branch and Vigilance Enquiry was conducted into the allegations leveled against certain Police officials of Crime Branch and 343 accused persons who had procured Indian Passports on the basis of forged documents. The allegations were that all these passport holders had connived with the Police officials who cleared their Police Verification Reports for the Passport Verification Forms. FIR was consequently, registered and investigations carried out.

14. As per the Prosecution, the Applicant had carried out Verification in 40 Applications and a fabricated Report in regard to the residence proof had



been furnished thereby facilitating the applicants to get Passports on forged documents.

15. The record shows that the Applicant has already joined investigation. According to the State, Nine Chargesheets have been filed over a period of time against other accused persons. The allegations against the Applicant are basically documentary in nature, which has already been collected by the State. Furthermore, the Applicant has already joined investigations six times. The only objection being taken on behalf of the State is that he is not cooperating but has failed to explain as to what cooperation is required. He is a Police official and he is not likely to abscond.

16. Thus, considering the totality of circumstances it is directed that in the event of his arrest, the Petitioner be admitted to bail subject to the following conditions:

- (i) The petitioner shall furnish a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer;
- (ii) The petitioner shall furnish his mobile number to the Investigating Officer on which she may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- (iii) If the petitioner has a passport, he shall surrender the same to the Investigating Officer and shall not travel out of the country without prior permission of the Trial Court;
- (iv) The petitioner shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.



17. The Petition stands disposed of in the above terms.

NEENA BANSAL KRISHNA, J

FEBRUARY 20, 2025/va