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

+ **BAIL APPLN. 716/2024, CRL.M.A. 2878/2025**

HARJEET SINGH

.....Petitioner

Through: Mr. Abhishek Kumar Singh and Mr.
Abhinav Jaganathan, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastva, APP for the
State.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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30.01.2025

CRL.M.A. 2879/2025 (exemption)

Exemption granted, subject to just exceptions.

The application stands disposed of.

BAIL APPLN. 716/2024

By way of the present petition filed under section 439 of the Code of Criminal Procedure 1973, the petitioner seeks regular bail in case FIR No.0028/2020 dated 17.02.2020 registered under sections 406/420/120B of the Indian Penal Code, 1860 at P.S.: Economic Offences Wing, Delhi.

2. Notice on this petition was issued on 28.02.2024.
3. Status Reports dated 09.04.2024 and 24.07.2024 have been filed in the matter; and Nominal Roll dated 27.03.2024 has also been received from the Jail Superintendent.



4. Mr. Abhishek Kumar Singh, learned counsel appearing on behalf of the petitioner argues, that the essence of the allegation against the petitioner is that he was part of a criminal conspiracy to induce the general public, through advertisements and other modes of marketing, to invest monies in certain schemes forged by M/s Blue Fox Motion Pictures Pvt. Ltd., which company was engaged in the production of movies. Learned counsel argues, that it is the admitted case of the prosecution that the main promoter of the company and the principal accused in the matter, is one Manu Prashant Wig, and that the petitioner was only a director of that company, who has been roped into the matter in his capacity as such director. Counsel submits however, that on point of fact, the petitioner had no actual control over the management or the day-to-day functioning of the company.
5. Learned counsel argues, that as per chargesheet dated 10.04.2023 filed in the matter, the specific allegation against the petitioner is that he was beneficiary of the sum of Rs. 24.93 lacs which was received into one of his bank accounts at the Central Bank of India; and further that he had deposited cash in various amounts in that account aggregating to about Rs. 4.99 lacs between 2016 and 2019; and that he had deposited another sum of Rs. 5.96 lacs in another bank account maintained with the same bank.
6. Mr. Singh contends, that the sum of Rs. 24.93 lacs was received by the petitioner over a period of 03 years in his capacity as an 'employee' of M/s Blue Fox Motion Pictures Pvt. Ltd. towards his remuneration and other expenses incurred towards the making of the



film ‘*Jia and Jia*’, which movie was produced and released in the theatres in 2017.

7. Mr. Singh argues, that the circumstances would show that the petitioner was only an employee of the company and was working under the directions and instructions of Manu Prashant Wig; that he had no decision-making power in the company; and a perusal of the tabulated summary of the monies received in his bank account make it clear that the petitioner received a sum of Rs.1,50,000/- almost on a monthly basis, towards his salary, which is also evidence of his position as a mere employee of the company.
8. In the circumstances, it is argued that the allegation in the chargesheet that the petitioner was a founder and a 90% shareholder of the company M/s Blue Fox Motion Pictures Pvt. Ltd. proceeds on a misconceived notion, and fails to appreciate that the petitioner was given that position only on paper by the promoters, who were the real beneficiaries of the business.
9. Learned counsel argues, that even the role of the petitioner as an authorized signatory to the bank accounts in question was assigned to him in his administrative capacity only to undertake financial transactions, without the petitioner having any say in the affairs of the business.
10. All else apart, Mr. Singh argues that the other 03 co-accused persons in the matter have already been admitted to regular bail: Priyesh Kumar Sinha having been admitted to regular bail by a Co-ordinate Bench of this court *vide* order dated 01.09.2023 made in BAIL APPLN. No.2309/2023; Pankaj Goyal having been admitted to



regular bail by the learned trial court *vide* order dated 10.11.2023 made in Bail Matter 1714/2023; and the principal accused *i.e.*, Manu Prashant Wig having been released on regular bail by this Bench *vide* judgment dated 20.12.2024 made in BAIL APPLN. No.1926/2024.

11. Mr. Singh argues, that the prosecution has cited 213 witnesses in the chargesheet but the matter is still pending at the stage of arguments on charge; and therefore, trial in the matter will take a very long time to conclude. It is pointed-out that in the meantime, the petitioner has been in continuous judicial custody since his arrest on 03.04.2023, that is for about 22 months as of now.
12. It is also submitted that in the other FIRs pending *inter-alia* against the petitioner, which have been registered at the instance of other complainants, the petitioner has already been granted bail by the concerned courts in Uttar Pradesh, Haryana and Punjab. He also submits, that the monies alleged to have been cheated have been secured by the investigating agencies.
13. Opposing the grant of bail, Mr. Tarang Srivastava, learned APP appearing on behalf of the State has drawn attention to the status reports filed by them to submit, that the petitioner is implicated in a multi-victim case, where some 200 victims were induced into parting with their hard-earned money by M/s Blue Fox Motion Pictures Pvt. Ltd. with the promise of assured returns, which returns were never paid.
14. Learned APP submits, that the monies so received were siphoned-off by the accused persons into their own accounts and/or were defalcated in other ways.



15. Learned APP submits, that the RoC records bear-out the fact that the petitioner was the founding Director of M/s Blue Fox Motion Pictures Pvt. Ltd. and continues to be so till date. Mr. Srivastava submits, that the petitioner is also the authorized signatory of the bank accounts of the said company; and was declared 'proclaimed offender' by the learned trial court *vide* order dated 21.02.2023 and only surrendered to custody on 03.04.2023.
16. Learned APP further points-out, that as admitted by the petitioner and as detailed in the status reports filed in the matter, the petitioner has at least 08 other FIRs pending against him at various places including in Gujarat, Haryana, Punjab and Rajasthan and is therefore a habitual offender.
17. Upon a conspectus of the facts and circumstances of the case, the following considerations prevail with this court *at this stage* :
 - 17.1. Admittedly, all 03 co-accused persons in the matter, namely Manu Prashant Wig, Priyesh Sinha and Pankaj Goyal have already been released on regular bail by the concerned courts, and accordingly, the petitioner is the only accused person in the subject FIR who continues to be in judicial custody as of date;
 - 17.2. The petitioner has suffered judicial custody for about 22 months, and though 213 prosecution witnesses have been cited in the chargesheet, none have deposed as of now since the matter is still at the stage of framing of charges. It is therefore evident that trial in the matter will take a very long time to conclude; and



- 17.3. Though the petitioner is alleged to have been a Director and an authorized signatory of M/s Blue Fox Motion Pictures Pvt. Ltd., the tabulated summary of the monies remitted into the petitioner's bank accounts does show that a sum of Rs.1,50,000/- was received by him almost on a monthly basis, which would need to be addressed in the context of whether the petitioner was an employee or a Director in charge of the conduct of business of the company.
18. As a sequitur to the above, this court is persuaded to admit the petitioner – **Harjeet Singh s/o Sh. Sardar Gurdeep Singh** – to *regular bail* pending trial, subject to the following conditions:
- 18.1. The petitioner shall furnish a personal bond in the sum of Rs. 1,00,000/- (Rs. One Lac Only) with 02 sureties in the like amount from family members, to the satisfaction of the learned trial court;
- 18.2. The petitioner shall furnish to the Investigating Officer ('I.O.') a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 18.3. If the petitioner has a passport, he shall surrender the same to the learned trial court and shall not travel out of the country without prior permission of the learned trial court;
- 18.4. The petitioner shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case. 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;

18.5. In case of any change in his residential address/contact details, the petitioner shall promptly inform the I.O. in writing; and

18.6. In addition to the foregoing conditions, the petitioner shall not open or close any bank account, nor will he open or close any company or other business entity, without giving to the I.O. a 30-day prior written notice; and would furnish to the I.O. the full particulars of any such action that he proposes to take.

19. Since the petitioner is facing trial and is therefore appearing before the learned trial court from time-to-time, it is not considered necessary to impose a reporting requirement as a condition of regular bail.

20. Nothing in this order shall be construed as an expression of opinion on the merits of the pending matter.

21. A copy of this order be sent to the concerned Jail Superintendent *expeditiously*.

22. The petition stands disposed-of.

23. Other pending applications, if any, are also disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 30, 2025/ak