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

+ **BAIL APPLN. 1249/2025**

BHAG SINGH @ BOBBYPetitioner

Through: **Mr. G.S. Sandhu, Advocate**

versus

THE STATE (GOVT. OF NCT OF DELHI)Respondent

Through: **Mr. Sanjeev Sabharwal, APP for the State.**

SI Inderjeet Yadav, PS Janak Puri.

Mr. Kishore, Adv. along with the complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

16.05.2025

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1. This hearing has been done through hybrid mode.
2. The present application under Section 483 of the BNSS/ 439 of the CrPC seeks regular bail in case FIR No. 379/2023 under Sections 420/34 of the IPC, registered at PS Janakpuri.
3. The case of the prosecution is that the present FIR bearing no. 379/2023 was registered on the basis of a complaint made by Mr. Sagar Seth alleging that he along with six other persons has been cheated by one Mr. Bhupinder Singh Director of M/s Konkard International Delhi in the name of providing work visas, flight and other charges. It is alleged that the said Bhupinder Singh who was the Director in the said company had asked the complainant to visit his office in Janakpuri in November 2022 and had explained the work Visa process of various countries and showed a number of passports lying in his



office. It is alleged that the said Bhupinder Singh used to sit in his office along with his wife and his brother in law i.e. the present applicant. It is alleged that the said Bhupinder Singh took money in his bank account in the name of M/s Konkard International and was also paid in cash to avoid any delay in visa process. Thereafter, after receiving the money the said Bhupinder Singh kept delaying the process and then finally switched off his mobile phone. After the registration of the FIR, the investigation was conducted and the aforesaid accused Bhupinder Singh was untracable.

4. It is the case of the prosecution that the 10 victims have come forward and the cheated amount in the present case is about Rs. 2.35 crores approximately. It is stated that the LOC (Look Out Circular) has been issued against Bhupinder Singh and his wife Charanjeet Kaur. The case of the prosecution *qua* the present applicant is that the complainant Sagar Seth had stated that he had given Rs. 5,00,000/- in cash to the present applicant and had asked him to confirm the receipt of the payment to aforesaid Bhupinder Singh. It is alleged that the present applicant had sent two voice notes to Bhupinder Singh through Whatsapp from the phone of the complainant. The audio clips of which have been provided and have been sent to the FSL. Another victim, Baljinder Singh had also stated that he had given certain payments to the applicant and one of the payments was Rs. 2,40,000/- on the directions of co-accused Bhupinder Singh.

5. Learned counsel appearing on behalf of the applicant submits that admittedly the present applicant even as per the case of the prosecution is the brother in law of the main accused Bhupinder Singh who is since not traceable. It is submitted that all the transactions were being undertaken by co-accused Bhupinder Singh in the name of his company and the present



applicant has been roped in only for the reason that the other two accused persons are not available to face trial. It is pointed out that if the present applicant was involved then he could have also availed of the opportunity and left the country. He submitted that he was arrested from his shop at JJ Park, Rampuri, Punjabi Bagh. It is submitted that the charge-sheet has been filed and the applicant has been in custody since 08.04.2024.

6. *Per contra*, learned APP appearing on behalf of the State assisted by learned counsel for the complainant submits that the present applicant was clearly involved with the other co-accused persons who have since absconded. The complainants have given the statements to the effect that they had given cash payments to the present applicant at the instance of the aforesaid co-accused Bhupinder Singh and the said fact is corroborated by the audio clips provided to the Investigating Officer wherein the applicant is confirming the payment receipts on behalf of the complainant to co-accused Bhupinder Singh.

7. Heard the learned counsel for the parties and perused the records.

8. Even as per the case of the prosecution, the present applicant was receiving money on behalf of the co-accused Bhupinder Singh and his wife who are stated to be sister and brother in law of the present applicant. The applicant was arrested and was taken to police custody. As per the status report no recovery had been affected from him. Charge-sheet stands filed and the case of the prosecution is at the stage of point of consideration of charge before the learned Trial Court. It is pointed out by the learned counsel for the applicant that the same is not progressing as the FSL Report is still awaited.

9. The applicant has been in custody since 08.04.2024. The prosecution has cited 26 witnesses and the trial has not even started yet.



10. In totality of the facts and circumstances, the present application is allowed. The applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 50,000/- with one surety of like amount, subject to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:

- i. The applicant shall not leave India without prior permission of the learned Trial Court.
 - ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
 - iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
 - iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
 - v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.
 - vi. The applicant shall report at concerned Police Station, i.e. Janakpuri, on the first Monday of every month at 04:00 PM and the concerned officer is directed to release him by 5:00 PM after recording his presence and completion of all the necessary formalities.
11. The application is allowed and disposed of accordingly.
12. Pending applications, if any, also stand disposed of.
13. Needless to state, nothing mentioned hereinabove is an opinion on the merits of the case and any observations made are only for the purpose of the present bail application.
14. Copy of the order be sent to the concerned Jail Superintendent for



necessary information and compliance.

15. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

MAY 16, 2025/kr/pr

Click here to check corrigendum, if any