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

\+ BAIL APPLN. 1499/2025

ANSHUL AHUJA .....Petitioner

Through: Mr. Awadhesh Kumar, Advocate

versus

GOVT OF NCT OF DELHI & ANR. .....Respondents

Through: Mr. Utkarsh, APP for the State with Insp. Sanjay Singh, P.S. EOW, Mandir Marg

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% **22.05.2025**

1. A Bail Application under Section 483 BNSS read with Section 528 BNSS has been filed on behalf of the Petitioner/Applicant Anshul Ahuja for grant of Regular Bail in case FIR No.65/2022 dated 26.04.2022 under Section 420, 468, 471, 409 and 120-B IPC registered at Police Station EOW, Mandir Marg, Delhi.

2. It is submitted that the Applicant has been made a scapegoat by the Police. He is facing long incarceration since 19.06.2024. The Chargesheet has already been filed. Presently, he is not required for any further investigations. The co-accused Himanshu Rastogi and Rishi Chhabra have been granted Anticipatory Bail by this Court on 14.10.2024. The Second Regular Bail Application has been dismissed by learned ASJ *vide* Order dated 18.02.2025.

3. The Applicant has sought **Bail on the grounds** that there is not an iota

of evidence against him. The only evidence is circumstantial as not a single eye witness has been cited pertaining to the incident. He has no blemish in his life and has no concern of any kind with the alleged offence.

4. The Applicant further submits that he has not been keeping good health. There is no likelihood of his interfering with the witnesses or tampering with the evidence. Hence, a prayer is made that he be granted Bail.

5. The **Status Report** has been filed on behalf of the State, wherein it is submitted that Shri Vivek Singh, Authorized Representative of ICICI Bank, had filed a Complaint, wherein it was stated that the Applicant is the Credit Manager of the Bank and in connivance with the Chartered Accountant, Himanshu Rastogi, had fabricated documents while processing loan Applications of various customers and had committed various acts leading to loss of Rs.90.6 million to the ICICI Bank.

6. It is further submitted that the investigations have duly been conducted. After completion of investigations, he was arrested on 19.06.2024. The Chargesheet has already been filed.

7. The Bail is opposed on the grounds that there is every likelihood of his fleeing from judicial proceedings and that he may destroy, hamper or tamper with the evidence. There is every likelihood of his committing the same offence, if granted Bail. Hence, the Bail is opposed.

8. **Submissions heard and record perused**.

9. As per the case of the Prosecution, the Applicant who was the Credit Manager of ICICI Bank, while considering the appraisal of the files between March, 2020 to March, 2021 it was found that in 72 files there were fabricated documents. It was also observed that GST Return in 71 files, were forged. When the

enquiry was made from the Applicant about the files, he confessed receiving leads of the potential Business Loan Customers from CA Himanshu Rastogi. He further stated that in case where they did not find eligible customers, he used to communicate it to the CA. Subsequently, the customer would apply for loan supported with fabricated documents of GST returns and bank statements for approvals. Wrongful loss of Rs.90.6 million in lieu of commissions was caused to ICICI Bank.

10. Further, Himanshu Rastogi had approached the Applicant in the year 2021, who was also in contact with sourcing agent Rishab and Rishi Chhabra, who used to send him leads of potential Business Loan Customers along with their documents. He also used to send customer's documents over personal e-mail ID of the Applicant, to check their eligibility. Thereafter, the Applicant would check the customer's eligibility under BIL GST variant program under which loans are extended to the customers on the basis of their GST returns and the credits in the bank account statements. In case, the Applicant did not find the customer eligible, he would communicate the deficiencies to Himanshu Rastogi CA. In the mean time pass those leads to the Branch Sales Executives, who in turn would contact the customers, who had submitted loan Applications with fabricated documents. Applicant and co-accused Himanshu Rastoi and Rishabh intentionally appraised despite having knowledge of forged GST returns and bank statements.

11. During investigations, Rishabh Chhabra also joined investigations and produced the Whatsapp chats between him and co-accused Himanshu Rastogi in regard to the loan proceedings.

12. The Applicant is in Judicial Custody since 19.06.2024. The Chargesheet has already been filed. Witnesses are yet to be examined and

the Trial would take long to get concluded. In the totality of circumstances, the Applicant is the accused is granted Regular Bail, on the following terms and conditions:

a) The Petitioner/Accused shall furnish a personal bond of Rs.35,000/- and one surety of the like amount, subject to the satisfaction of the learned Trial Court.

b) The Petitioner/Accused shall appear before the Court as and when the matter is taken up for hearing;

c) The Petitioner/Accused shall provide his mobile number/changed mobile number to the IO concerned which shall be kept in working condition at all times;

d) The Petitioner/Accused shall not indulge in any criminal activity and shall not communicate or intimidate the witnesses.

e) In case the Petitioner/Accused changes their residential address, the same shall be intimated to learned Trial Court and to the concerned I.O.

13. The copy of this Order be communicated to the concerned Jail Superintendent as well as to the learned Trial Court.

14. The above Bail Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J.

MAY 22, 2025
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