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

\+ BAIL APPLN. 1585/2025

KARAN @ CHAARANJEET SINGH .....Petitioner

Through: Ms. Jyoti Aggarwal, Ms. Sanjivani Aggarwal and Mr. Pradeep Shekhawat, Advocates.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Ms. Priyanka Dalal, APP for the State with SI Sunil, PS – Special Cell.
Mr. Zeeshan Diwan and Mr. Harsh, Advocates for Victim.

CORAM:
HON'BLE MR. JUSTICE ARUN MONGA

<u>O R D E R</u>

% 21.08.2025

1. The applicant is before this Court having remained under incarceration since 28.12.2024, for a period of 7 months and 24 days, seeking indulgence of this Court for grant of bail during pendency of the trial in the criminal proceedings arising out of FIR No. 317/2024 dated 24.07.2024, for alleged offences under Sections 342, 370, 420, 120B of the IPC and under Sections 10/24 of the Emigration Act, registered at P.S. Special Cell, Delhi.

2. Briefly speaking, per FIR, the case set up by the prosecution/complainant is that the complainant, Ashwani Kumar reported that he and several other Indians were victims of a human trafficking and

cybercrime racket run by one Ali Khumeni (Indian recruiter), Sahil Sharma, Mandeep Kaur, Sahil (Khatri), Chetan, a woman named Zoyii, one Chinese handler Zhong Kang, and a Chinese kingpin**.**

2.1 The complainant was lured in March 2024 with the promise of a legitimate data entry job in Dubai for ₹40,000 by Ali Khumeni, who sent him on Indigo Flight 6E1249 dated 27.03.2024.

2.2 On arrival, he was placed in a call centre at Dubai Investment Park run by Chinese nationals, where he and others were forced to engage in cyber fraud targeting Indians using UK numbers and fake online profiles.

2.3 After a police raid, he was moved to Thailand on 02.05.2024 via Emirates Flight EK0376, and then illegally taken across the Cambodia border, where his passport was seized. He was confined in a compound at Krong Poi Pet, Cambodia, along with about 600 other Indians, and forced under threats and beatings to work in cybercrime operations using Telegram-based instructions.

2.4 During a supervised outing on 15.07.2024, the complainant and his associates, Raman and Binder Sodhi**,** escaped and reached the Indian Embassy in Cambodia, where they are under protection awaiting repatriation. Binder was lured by Mandeep Kaur and Sahil, who acts as HR in Cambodia; Raman was recruited by Sahil Khatri and Karan; while Chetan manages recruitment in Bihar. Zoyii, a woman from Gujarat, acts as accountant and mule account handler, while Zhong Kang and the Chinese kingpin supervise operations.

3. In the aforesaid backdrop, I have heard the rival contentions and perused the case file.

4. Learned counsel for the applicant would argue on lines of grounds pleaded in the petition *inter alia* urging as below:-

4.1 Learned counsel for the Applicant would submit that the Applicant is a very sober and gentle person belonging to a respectable family and ideal society. The Applicant is in judicial custody since 28.12.2024 i.e. approximately for 7 months and 24 days and has been falsely implicated. She contended that the complaint filed before the Special Cell, Cyber Crime Unit, Delhi, has resulted in the wrongful implication of the Applicant, despite absence of sufficient material against him.

4.2 Learned counsel submits that a Notice under Section 41A Cr.P.C. was served on the Applicant on 09.10.2024, and the Applicant has duly complied with the same by cooperating in the investigation of the Special Cell, Delhi Police.

4.3 It is further argued that the offences alleged are bailable in nature, and in so far as Section 370 IPC is concerned, the Applicant himself is a victim of fraud and cheating at the hands of the main accused. The intention of the Applicant was *bona fide* and limited only to assisting in providing travel tickets.

4.4 Learned counsel points out that the Applicant is a registered travel agent operating a genuine travel agency under the name 'Gabriel Tour and Travels', situated at Pratap Nagar, Qadian, District Gurdaspur, Punjab. The agency is duly registered under the Punjab Shops and Commercial Establishments Act, 1958 (Annexure A6) and also has a valid Udyam Registration under the Ministry of MSME (Annexure A7).

4.5 It is submitted that the main accused, Mandeep Kaur, approached the Applicant only for booking of tickets and was treated as a regular client. The

Applicant had never met her personally and dealt with her only telephonically through her number.

4.6 Learned counsel contends that another co-accused, Sahil Khatri, who is presently in judicial custody, also approached the Applicant for ticket bookings. The Applicant, in good faith, shared the information regarding the job opportunity communicated by Mandeep Kaur. Thus, the Applicant was himself misled and duped into believing the job opportunity was genuine.

4.7 It is argued that the Applicant's role was confined only to transferring ticket funds to Mandeep Kaur for issuance of air tickets. He had no other involvement in the alleged conspiracy or offence. Annexures A10 and A11 show that the money was transferred to Mandeep Kaur and tickets were issued by her.

4.8 Learned counsel emphasizes that the Applicant had even advised the complainant Raman to approach the Indian High Commission in case of any problem abroad, which clearly reflects his *bona fide* intention and good faith.

4.9 It is submitted that the supplementary charge sheet filed (Annexure A13) itself clarifies that the Applicant's role was only limited to transferring ticket booking amounts to the main accused, Mandeep Kaur, being a travel agent.

4.10 Learned counsel further contends that the Applicant undertakes not to interfere in the investigation, not to tamper with evidence, and to cooperate fully with the authorities. He also undertakes to appear before the I.O. or the Court as and when required, and is willing to furnish sound sureties to the satisfaction of this Court. In these circumstances, it is urged that the Applicant has no criminal intention, his role is limited and bona fide, he himself is a victim of fraud, and therefore, he deserves to be enlarged on bail pending trial.

5. Opposing the above submissions, the learned APP for the State argues that the applicant is not entitled to any relief at this stage, as there remains a genuine risk of him absconding or tampering with the evidence.

6. I am of the view that it is a fit case for bail. Let us see how.

7. I have heard the submissions of both sides and am of the considered view that the applicant deserves to be released on bail during the pendency of the trial. The applicant has already remained in custody for approximately 7 months, and the trial is moving at a snail's pace. This prolonged pre-trial detention, coupled with the slow progress of proceedings, are contributory factors in favour of granting bail.

8. Further incarceration would serve no useful purpose, as the trial is unlikely to conclude in the near future, and continued detention would amount to punitive confinement before conviction, contrary to the settled principle that bail is the rule and jail the exception, especially when the applicant is neither a flight risk nor a threat to the fairness of the trial.

9. As regards the apprehension of tampering with evidence, it is pertinent to note that the material evidence has already been seized and is securely in the custody of the prosecution, rendering such apprehension illusory. One of the primary objects of bail is merely to secure the presence of the accused during trial. The applicant has been in custody since 28.12.2024, has cooperated throughout the investigation, and there is nothing to suggest that he would abscond, interfere with evidence, or influence witnesses. He has deep roots in society and no criminal antecedents. The applicant, stated to be a family person, recently got married

and blessed with 8 months old infant and also ailing parents to look after and being deeply rooted, he is not flight risk.

10. Taking a wholesome view i.e. the applicant, a registered travel agent, has been in custody since 28.12.2024, complied with investigation requirements, the alleged offences qua him are bailable, and his involvement was limited to booking tickets in good faith for clients, including the main accused Mandeep Kaur, without any knowledge of fraud and moreover, he asserts that he is a victim too and undertakes to cooperate fully with the investigation, bail application deserves to be allowed at this stage.

11. Accordingly, applicant is directed to be released on bail on furnishing of bail bond and surety to the satisfaction of the learned Trial Judge/Duty Judge as the case may be and subject to the usual conditions to be imposed by the learned trial Judge/Duty Judge.

12. 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 is only for the purpose of the disposing of the present bail application.

13. Accordingly, the bail application stands disposed of.

ARUN MONGA, J

AUGUST 21, 2025
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