$~4

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

\+ BAIL APPLN. 1740/2025, CRL.M.A. 13974/2025

PANKAJ SACHDEVA @ ROSHAN MANCHANDA .....Petitioner

Through: Ms. Muskan Singh, Mr. Hemant Singh, Mr. Aman Bidhuri and Ms. Urvashi Jain, Advocates.

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Mukesh Kumar, APP for State with Mr. Rupesh Raj, SI, PS-Bharat Nagar.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **08.08.2025**

1. The present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 439 of the Code of Criminal Procedure, 1973) seeks regular bail in proceedings arising from FIR No. 470/2019 registered under Sections 419/420/468/471/120B of the Indian Penal Code, 1860[1] at P.S. Bharat Nagar.

2. Briefly stated, the case of the prosecution is as follows:

2.1. The present FIR has been registered on a complaint made by Harminder Kaur Anand alleging that she purchased a property bearing No. A-17/5 (Second Floor), Rana Pratap Bagh, Delhi[2] from Santosh Bhatteja and Aditi Bhatteja for a consideration of INR 22,00,000/- in the year 2011. A

[1] "IPC"
[2] "the subject property"

sale deed in this regard was executed on 1st November, 2011. The subject property was rented out by the Complainant until 2013-2014, and remained vacant thereafter.

2.2. In November, 2018, upon visiting the subject property, the Complainant was informed by the neighbours that unknown persons had been frequently visiting the premises. Additionally, her son-in-law also informed her about a notice dated 26th October, 2016 issued under Section 13(2) of the SARFAESI Act, by AU Housing Finance Limited,[3] stating that one Ashok Kumar Jaiswal had availed a loan of INR 75,00,000/- by mortgaging the subject property. Alleging that Ashok Kumar Jaiswal had prepared forged documents in respect of the subject property to secure the said loan, the Complainant lodged a complaint with P.S. Bharat Nagar.

2.3. During investigation, it was revealed that the concerned loan was obtained from AU Bank on the basis of a sale deed dated 6th November, 2015 allegedly executed between the Complainant and Ashok Kumar Jaiswal. This sale deed was found to be forged, with manipulated photographs replacing those of the genuine parties. It was further discovered that the loan amount sanctioned in favour of Ashoka Kumar Jaiswal against the said property was credited to a bank account held in the name of "Harminder Kaur Anand" at a different address, which was also found to be fictitious.

2.4. It was found that Ashok Kumar Jaiswal had passed away on 18th January, 2017. The original sellers, Santosh Bhatteja and Aditi Bhatteja, in their statements, confirmed having sold the property to the real Harminder Kaur Anand i.e., the Complainant and not to the accused.

2.5. Further tracing of the loan proceeds revealed that, after the amount was deposited into the fake "Harminder Kaur Anand" account, the funds were transferred to various individuals and entities, most notably Mahavir Trading Company, which received around INR 49,00,000/-, while the remaining sum was received by persons named Suhail Chauhan and Nitin Verma.

2.6. As a result, the police arrested the Applicant (Pankaj Sachdeva), who is the proprietor of M/S Mahavir Trading Company, on 3rd December, 2024. Investigation revealed that he had become the proprietor of Mahavir Trading Company by creating a false identity in the name of Roshan Manchanda. He was found to be the beneficiary of the loan amount. Thereafter, co-accused persons Suhail Chauhan and Nitin Verma, being other beneficiaries of the transferred funds, were arrested on 4th December, 2024.

2.7. Accordingly, chargesheet was filed against the Applicant and other co-accused persons, Nitin Verma and Suhail Chauhan, under Sections 419/420/467/468/471/120-B of IPC.

3. Counsel for the Applicant states that the Applicant has been falsely implicated and seeks regular bail on the following grounds:

3.1. The investigation in the present case stands concluded and chargesheet has already been filed. The Applicant has been in judicial custody since 3rd December, 2024, and his further incarceration would serve no useful purpose.

3.2. The Prosecution has not established that the Applicant is, in fact, Roshan Manchanda. No document linking the Applicant to the identity of Roshan Manchanda has been recovered. Furthermore, the addresses of the

---

[3] "AU Bank"

Applicant and Roshan Manchanda are different.

3.3 The co-accused, namely Suhail Chauhan and Nitin Verma, who are alleged beneficiaries of the loan proceeds, have already been released on regular bail. The case of the Applicant stands on an equal footing with that of the said co-accused, thereby entitling him to bail on the principle of parity.

3.4. The Applicant undertakes to abide by the terms and conditions imposed by this Court, if bail were to be granted.

4. *Per contra*, Mr. Mukesh Kumar, APP for the State, opposes the bail application on the following grounds:

4.1. The Applicant allegedly fabricated the identity of "Roshan Manchanda" using forged government identification documents and, under this assumed identity, established a fictitious firm named Mahavir Trading Company, listing himself as its proprietor. By opening a bank account with these false credentials, he became the direct beneficiary of the loan amount, with approximately INR 49,00,000/- from the fraudulently obtained loan being credited to the account. As the firm had no genuine business operations, the transaction was evidently not a legitimate commercial activity but part of a premeditated scheme to share the illicit proceeds of the fraud.

4.2. The Applicant's arrest required considerable effort, as he had deliberately concealed his true identity. This raises a genuine apprehension that, if enlarged on bail, he may abscond or evade the process of law.

4.3. The Applicant is a repeat offender with a history of involvement in similar kind of offences. In addition to the present FIR, he is involved in three other cases being FIR No. 397/2016, registered under Sections 420/468/471/120B/34 of IPC at P.S. Keshav Puram; FIR No. 338/2017, under Sections 419/420/467/468/471/120B of IPC at P.S. Vasant Kunj North, Delhi; and FIR No. 1036/2023 under Sections 419/420/467/468/471/120B/34 of IPC at P.S. Shahbad Dairy. This pattern of conduct clearly demonstrates that the Applicant is a habitual offender and not a victim of false implication.

4.4. The co-accused person, namely Suhail Chauhan and Nitin Verma, although have been granted bail, however, the role and culpability attributed to the Applicant are of a higher degree, thereby negating any claim of parity.

5. The Court has considered the afore-noted facts and contentions. It is well established through a catena of judgments of the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.[4]

6. The FIR was registered on 26th September, 2019 and the Applicant was arrested on 3rd December, 2024, and the charge-sheet was filed only on 26th February, 2025, after an inordinate delay of 5 years from the date of registration of the FIR, which cannot be overlooked.

7. The Applicant has been in custody for almost 8 months. As per the Nominal Roll, the Applicant's conduct for the past one year and overall jail conduct has been satisfactory.

8. Additionally, it must be noted that the co-accused persons, namely Suhail Chauhan and Nitin Verma, have already been released on regular

---

[4] See also: ***Sanjay Chandra v. CBI***, (2012) 1 SCC 40; ***Satender Kumar Antil v. Central Bureau of***

bail.

9. While the State has pointed out that the Applicant has been involved in three other cases with similar allegations, however, the Supreme Court, in ***Prabhakar Tewari v. State of U.P.,***[5] held that the mere pendency of multiple criminal cases against an accused cannot, by itself, be a valid ground for denial of bail. Thus, the State's apprehensions can be allayed by imposing strict conditions. Therefore, having regard to the aforenoted observations, the Court is inclined to enlarged the Applicant on bail.

10. Therefore, the Applicant shall be released on bail on furnishing a personal bond for a sum of INR 25,000/- with two sureties each of the like amount, subject to the satisfaction of the Trial Court/Duty MM/ Jail Superintendent, on the following conditions:

a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO;

b. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;

c. The Applicant shall under no circumstance leave the country without the permission of the Trial Court;

d. The Applicant shall appear before the Trial Court as and when directed;

e. The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;

Investigation, (2022) 10 SCC 51.

[5] (2020) 11 SCC 648.

f. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

g. The Applicant shall report to the concerned PS on the first Monday of every month;

11. In the event of there being any FIR/DD entry / complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

12. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

13. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

AUGUST 8, 2025
nk