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

+ **BAIL APPLN. 1908/2025**

KUSUM KUMARI

.....Petitioner

Through: Mr. Rajkumar, Advocate

versus

THE STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with ASI Yashveer Singh, P.S.
Karawal Nagar, Delhi.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

28.05.2025

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1. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR No. 213/2024, registered at Police Station Karawal Nagar, Delhi for the commission of offences punishable under Sections 420/468/34 of the Indian Penal Code, 1860 (hereafter '*IPC*').
2. Issue notice. Mr. Manoj Pant, the learned APP accepts notice on behalf of the State.
3. Briefly stated, the allegations against the applicant herein are that she is the recipient of the alleged cheated amount of Rs.2,25,000/-, out of Rs.15,50,000/- in total. As per the complaint, father of the complainant had been cheated by co-accused Tanmay Mishra as he was induced to part with Rs.15,50,000/- on the pretext of providing employment to the complainant



in Indian Railways under the Sport Quota Scheme. After receiving the cheated amount, partly in cash and partly through UPI, the co-accused Tanmay Mishra had transferred the said amount through UPI in bank accounts of co-accused Om Prakash and the present accused/applicant Kusum Kumari.

4. The learned counsel appearing on behalf of the applicant argues that the applicant herein has been falsely implicated in the present case, and there is nothing on record to connect the applicant with the alleged offence. It is argued that it was the husband of the applicant in whose bank account the alleged money transactions were found. It is also contended that the applicant has joined investigation and she is not required for custodial interrogation. It is further argued that the co-accused persons have already been granted regular bail by the learned Sessions Court. It is therefore prayed that the present applicant be granted anticipatory bail.

5. The learned APP for the State, on the other hand, argues that the present accused/applicant has neither cooperated with the investigation nor she has provided the mobile phone used in the commission of alleged offence. It is also stated that the custodial interrogation of the applicant is required to unearth the conspiracy and the modus operandi and to trace the source of preparation of fake appointment letters and ID card. It is also stated that co-accused persons have been granted regular bail, and not anticipatory bail, by the learned Sessions Court. Therefore, it is prayed that the anticipatory bail application of the present accused be dismissed.

6. This Court has heard arguments advanced on behalf of both the parties and has perused the material available on record.

7. After hearing arguments and going through the case file, this Court is



of the opinion that though it is not disputed that the applicant herein has joined investigation, this Court is informed that she, despite having been asked to hand over the mobile phone used in the commission of alleged offence, has not been handed over the same and has merely stated that she had lost her mobile phone, regarding which she had not lodged any complaint.

8. It is also noted that Rs.2,25,000/-, out of the total cheated amount of Rs.15,50,000/-, which is part of the crime proceeds, was found to have been deposited in the bank account of the present accused/applicant, by the co-accused who had duped the complainant in this case. The allegations in this case are serious, and the I.O. has submitted that the custodial interrogation of the applicant is required to recover the mobile phone in question, as well as to discover the *modus operandi* and find out as to how the fake appointment letter and ID card were prepared.

9. Considering the overall facts and circumstances of the present case, and the fact that custodial interrogation of the present accused/applicant may be required to unearth the conspiracy in question, this Court is not inclined to grant bail to applicant.

10. Accordingly, the present bail application stands dismissed.

11. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

12. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 28, 2025/zp

[Click here to check corrigendum, if any](#)