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

\+ BAIL APPLN. 3813/2025 & CRL.M.A. 29753/2025

ARCHANA THAPA .....Petitioner

Through: Ms. Rohini Prasad, Ms. Ashika Ranjan and Ms. Mallika Agarwal, Advocates

versus

STATE (NCT OF DELHI) .....Respondent

Through: Mr. Manoj Pant, APP for the State

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

O R D E R
% **17.10.2025**

CRL.M.A. 29754/2025 (exemption)

1. Allowed, subject to all just exceptions.

2. Application stands disposed of.

BAIL APPLN. 3813/2025

3. By way of the present application, the applicant seeks grant of anticipatory bail in case arising out of FIR bearing No. 71/2025 dated 01.03.2025, registered at Police Station Chitranjan Park, Delhi for the commission of offence punishable under Sections 420/120B of the Indian Penal Code, 1860 (hereafter 'IPC').

4. Issue notice. Mr. Manoj Pant, the learned APP accepts notice on behalf of the State.

5. Brief facts of the present case are that the FIR pertains to the allotment of a residential plot under the project “Epic Shivdham Residency”

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at Tappal, Aligarh, Uttar Pradesh. The complainant alleges that his wife, Mrs. Shabnam Saifi, was allotted a plot and had made substantial payments to Truestar Infrasol Pvt. Ltd., where the applicant and one Mr. Aman Preet Singh were Directors. The Company had entered into an Agreement to Sell with landowners for 44,737 sq. yards of land for ₹29.23 crores, paying ₹50 lakhs upfront. Subsequently, 2,000 sq. yards were booked for plotting, but possession was not delivered. The directors had allegedly demanded an additional ₹10 lakhs, which was deposited into his personal account from Company funds. Plot No. C-25 (150 sq. yards) was thereafter allotted to Mrs. Shabnam Saifi for ₹23,85,000/-. It is alleged that the director of the company colluded with the landowners to defraud the Company. The complainant and his wife had paid approximately ₹17,88,750/- to the Company officials. Investigations revealed that the accused had floated multiple shell companies to cheat investors, and a *prima facie* case under Sections 420/120B of IPC was found, leading to the registration of present FIR.

6. The learned counsel appearing on behalf of the applicant argues that the applicant is a mother of two children, having deep roots in society and no previous criminal antecedents. The applicant is willing to cooperate fully with the investigation and undertakes to render all necessary assistance to the Investigating Officer as and when required. Furthermore, it is argued that the case rests entirely on documentary evidence; therefore, custodial interrogation of the applicant is neither necessary nor warranted. Further, the applicant’s non-appearance pursuant to the Notices dated 16.07.2025 and 18.07.2025 was neither intentional nor deliberate, and that the applicant had only sought reasonable time to gather relevant documents.

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7. The learned APP for the State, on the other hand, argues that the offence alleged is of a grave and serious nature. It is argued that the applicant was not a mere silent Director of the company but had actively participated in its day-to-day affairs. It is further submitted that the applicant has not cooperated with the investigation despite the issuance of NBWs dated 16.07.2025 and 18.07.2025. Accordingly, it is prayed that the present bail application be dismissed.

8. This Court has heard arguments addressed on behalf of the learned counsel for the applicant as well as the learned APP for the State, and has perused the material available on record.

9. This Court notes that NBWs were issued against the applicant, as despite the service of notice under Section 35 of BNSS, twice, on 16.07.2025 and 18.07.2025, the applicant had failed to join the investigation. Furthermore, proceedings have already been initiated under Section 82 of the Cr.P.C. against the applicant herein.

10. Further, the contention of the learned counsel for the applicant that the applicant had no involvement in the commission of offence in question, is contradicted by the record, which clearly reveals that she was the sole authorized signatory of the bank account wherein the complainant's money was deposited.

11. Considering the overall facts and circumstances of the case, and the fact that another FIR of a similar nature is pending against the accused in the State of Uttar Pradesh, this Court finds no ground to grant anticipatory bail to the applicant. The custodial interrogation of the applicant is necessary to trace the money trail and to identify other persons who may be involved in the commission of the offence.

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12. Accordingly, the present application stands dismissed.

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

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 17, 2025/ns

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