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

+ **BAIL APPLN. 4047/2025 & CRL.M.A. 31475/2025**

MOHAMMAD FARHAD

.....Petitioner

Through: Mr. Asghar Khan, Mr. Abdul Tahir Khan, Ms. Sahar Mashroor, Mr. Mohd. Gufran, Mr. Mohd. Sehgun, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Aman Usman, APP for State.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
27.11.2025

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1. The present application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023¹ seeks pre-arrest bail in FIR No. 42/2020 registered at P.S. Economic Offences Wing for the offences under Sections 420/468/471/120B of the Indian Penal Code, 1860².

2. The subject FIR was registered on the allegation that the Applicant fraudulently collected money from multiple individuals for overseas employment, by operating a fictitious travel office using a morphed Aadhaar card and issuing forged visas and travel documents.

3. On the previous date of hearing, counsel for the Applicant had

¹ "BNSS"

² "IPC"



submitted that the total amount involved in the FIR was approximately INR 10,00,000/-, which the Applicant, in order to demonstrate his *bona fides*, proposed to deposit without prejudice to his rights and contentions. On the basis of this representation, the Court had granted interim protection, subject to the Applicant making the said deposit and joining the investigation.

4. Counsel for the Applicant submits that, pursuant to the directions of this Court, the Applicant has joined and is cooperating in the investigation. It is further submitted that the amount of INR 10,00,000/- stands deposited before the Trial Court. The statement of the counsel is taken on record.

5. The Supreme Court has repeatedly emphasized that the provision of anticipatory bail, under Section 438 Cr.P.C., is rooted in Article 21 of the Constitution of India, which guarantees personal liberty. Section 438 aims at protecting the personal liberty of an individual, who, at the time of seeking anticipatory bail, has not been convicted of the alleged offence and is entitled to the presumption of innocence.³ In view of the Applicant having joined the investigation and the deposit of the aforesaid amount before the Trial Court, the Court is inclined to allow the request.

6. In view of the foregoing, the application is allowed. The Applicant, in the event of arrest, is directed to be released on bail on furnishing a bail bond for a sum of INR 25,000/- with two sureties of the like amount subject to the satisfaction of the concerned SHO, on the following conditions:

a. The Applicant shall join and cooperate with the investigation as and when directed by the IO;

³ Gurbaksh Singh Sibbia and Others v. State of Punjab, (1980) 2 SCC 565; Siddharam Satlingappa Mhetre v. State of Maharashtra and Others, (2011) 1 SCC 694.



- b. The Applicant shall not leave the boundaries of the country without informing the IO/ SHO concerned;
- c. The Applicant shall not contact the witnesses or tamper with the evidence in any manner;
- d. The Applicant shall give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
- 7. The Trial Court is requested to keep the amount of INR 10,00,000/- deposited by the Applicant in an FDR in auto renewal mode.
- 8. 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.
- 9. 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.
- 10. The application is allowed in the afore-mentioned terms.
- 11. Copy of the order be communicated to the concerned Trial Court for necessary information and compliance.
- 12. Disposed of, along with pending applications.
- 13. The amount deposited by the Applicant shall be subject to further directions to be issued by the Trial Court in accordance with law.

SANJEEV NARULA, J

NOVEMBER 27, 2025/MK