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

\+ BAIL APPLN. 678/2026

FAHEEM @ GUDDU .....Applicant

Through: Mr. Durgesh Kumar Pandey, Ms. Ritika Davis Franklin and Mr. Kartik Dhingra, Advocates.

versus

STATE GOVT. OF NCT OF DELHI .....Respondent

Through: Ms. Meenakshi Dahiya, APP for the State with Ms. Vanshika Singh, Mr. Aditya Vikram Singh, and Ms. Apoorva Khosla, Advocates with SI Habib Khan, ER-I, Crime Branch

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% **12.05.2026**

1. By virtue of the present application under *Section 483* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (***BNSS***), the applicant seeks grant of regular bail in FIR No.173/2025 dated 08.07.2025 registered at PS.: Crime Branch (West), Delhi under *Sections 318(4)/61(2)* of the Bharatiya Nyaya Sanhita, 2023 (***BNS***) and *Section 14* of the Foreigners Act, 1946.

2. *Briefly put*, the present FIR was registered on the basis of a secret information received, pursuant whereto the co-accused person was apprehended from Punjabi Bagh, Delhi and cash amounting to Rs.3,63,000/-, and several ATM/ Debit cards as also a mobile phone containing incriminating material were also recovered thereof. Thence, during interrogation, the said co-accused person disclosed that certain

Nigerian nationals along with other persons were operating a syndicate/ gang through social media applications for inducing victims to transfer money into different bank accounts on false assurances of lottery winnings, gifts and parcels.

3. Subsequently, during further investigation, one Mr. Vikas, being a co-accused person, revealed that the applicant herein used to prepare forged document(s) and facilitate issuance of fake Aadhaar card(s) and related identity document(s), pursuant thereto the aforesaid, the applicant was arrested on 29.07.2025. Furthermore, it was also evinced that the applicant had been arrested in FIR No. 485/2025 registered at PS.: Bhojipura, Bareilly, Uttar Pradesh relating to preparation of forged Aadhaar card(s), certificate(s) and stamp paper(s) from a cybercafe allegedly being operated by him. In fact, the applicant is involved in two other criminal cases of similar nature in the state of Uttar Pradesh.

4. In the proceedings before the learned Trial Court, the charge-sheet was filed on 04.09.2025, and two applications wherein the applicant sought grant of a regular bail have already been dismissed. This is an application after that.

5. At the outset, learned counsel for the applicant submits that the alleged role of the applicant is limited to facilitating change of address and mobile number in the Aadhaar card and there is no material to connect him with the larger cheating syndicate. He submits that though the applicant herein is involved in other FIRs, he has already been granted bail therein and since the applicant herein is a permanent resident of Bareilly, Uttar Pradesh, there is no possibility of him absconding and/ or tampering with evidence.

6. *Per contra*, learned APP for the State, whilst relying upon the Status Report, opposes the present application and submits that the allegations against the applicant are serious and grave in nature as he is admittedly involved in the creation of forged document(s) as they were recovered from the shop of the applicant *qua* another FIR registered by the Uttar Pradesh Police. In fact, the applicant has previous involvements in other cases of a similar nature.

7. Learned APP for the State also submits that applicant is a part of an organised racket involved in cheating innocent persons across the country, which has direct bearing on the public interest. She thus submits that in the event the applicant is enlarged on bail, there is every likelihood of his tampering with evidence or not joining the trial and reverting to the creation of forged document(s). Thus, she prays that the present application deserves to be dismissed.

8. Head and perused the documents on record.

9. Records reveal that the applicant herein is *admittedly* involved in FIR No. 485/2025 registered at PS.: Bhojipura, Bareilly, Uttar Pradesh under *Sections 317(4)/338/336(3)/340(2)* of the BNS and *Section 36* of the Aadhar Act, 2016, whereby various forged identity document(s) alongwith multiple websites for executing the said forgery were found at the cybercafé operated/ owned by the applicant herein. As also it is a matter of fact that the applicant, excluding the said FIR, has *'two other'* FIRs *qua* the offences of a similar nature.

10. What is also borne out is that the applicant was creating forged identity document(s) for use of the co-accused persons, who in turn were using them to create bank accounts into which the cheated amounts,

secured on the false pretext of lottery winnings, gifts and parcels, were collected by them. Thus, it can be safely concluded that the applicant was/ is having a direct nexus with the co-accused persons and the same had/ has a direct bearing/ impact on the society at large, particularly, considering that the said forged document(s) were being used to dupe the general public. All this inherently impacts the economy of the country, and results in the individual victims incurring financial losses.

11. The applicant was part of a fraudulent syndicate who were using unofficial/ unfair means/ modes through which they, especially the co-accused persons, worked in tandem to execute the said deeds for collecting monies. The offences are/ were rooted in forgery involving deceitful means, which were inherently grave.

12. This Court, thus, has to strike a legitimate balance keeping in mind the private right of the applicant herein against the public harm/ good which has happened and likely to escalate.

13. Moreover, and even though the charge-sheet has already been filed before the learned Trial Court, and he has been granted bail in other FIRs, however, considering the nature of allegations and prior antecedents, as also that all the offences involving the applicant herein are of a similar nature, which pertained to a wide network of the usage of the fake transactions involved, there is every likelihood that if the applicant is granted bail, he may tamper with the evidence and/ or hamper the trial and/ or try to influence the witnesses and/ or abscond given that he is not a permanent resident of Delhi and/ or once again indulge in similar offences.

14. Thus, this Court finds force in the submissions made by the learned APP for the State.

15. In view of the afore-going, the present regular bail application is dismissed.

16. The observations expressed hereinabove, if any, being tentative in nature, will not come in the way of any subsequent proceedings, which shall be dealt on their own merits.

SAURABH BANERJEE, J

MAY 12, 2026/So