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

\# **CNR No. DLHC010223142026**

\+ BAIL APPLN. 1948/2026

INDER BAHADUR SINGH .....Petitioner

Through: Mr. Swagat Kr. Nanda, Mr. S.K. Nanda, Ms. Monalisa Mishra, Mr. Shivam Sharma and Mr. Shivam Pandey, Advocates.

versus

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

Through: Ms. Shubhi Gupta, APP for State. Insp. Amit Pratap, EOW.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 03.11.2026

1. The present bail application has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita ('BNSS') for grant of regular bail in FIR No.107/2022 dated 6th July, 2022 under Sections 406/420/120B of the Indian Penal Code, 1860 ('IPC') registered at P.S. Economic Offences Wing.

2. It is stated that the applicant is 66 years of age and has been in custody for a period of 27 months.

3. The present FIR was registered pursuant to a complaint made by 22 persons, alleging that the applicant, along with his wife, son and daughter, were running a chit fund scheme named 'Committee'. It is alleged that the applicant induced the complainants, who were mostly his neighbours, to

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become members of 'Committee' and persuaded them to invest their savings. The scheme was operating smoothly until 18th November, 2021, whereafter the applicant absconded with the money invested by the complainants to the tune of Rs.1,38,90,000/-.

4. During investigation, it was found that the applicant was operating two schemes, i.e., the 'Doctor Lucky Draw Scheme' and the 'Committee'/Chit Fund Scheme. Upon verification, the amount allegedly cheated from the 22 complainants was found to be Rs.1,12,83,401/-. It was also found that the bank account of the applicant had remained inactive since November, 2021 and the same was frozen by the police.

5. The applicant joined the investigation on 26th July, 2024. During investigation, he disclosed that he had been operating the aforesaid schemes since 2017-18 and that the same were not registered with any authority. .

6. The applicant was arrested in the present case on 30th January, 2025.

7. Counsel for the applicant submits that the ingredients to make out the offence under Section 420, IPC are missing in the present case. It is stated that the scheme of the applicant was operating smoothly till November, 2021 and only went awry on non-payment of instalments by the participants during the COVID period. Hence, there was no dishonest intention at the time of making the promise. Reliance in this regard is placed on the judgment of the Supreme Court dated 31st March, 2000, in SLP (Crl) 1683-1684/1999, titled '***Hridaya Ranjan Pd. Verma v. State of Bihar***'.

8. Counsel appearing on behalf of the applicant submits that it is erroneously stated in the status report that total outstanding amount alleged against 22 victims is Rs.1,12,83,401/-. He submits that only a sum of Rs.8 to10 lakhs has come into the account of the applicant and the applicant has

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already deposited a sum of Rs.8.8 lakhs before the Registrar General of this Court, as recorded in the order passed by this Court on 20th August, 2024 in BAIL APPLN. 637/2024.

9. It is further submitted that the applicant has sold his Delhi property to disburse a sum of approximately Rs.19,00,000/- to other complainants, which fact is also noted in the charge-sheet.

10. It is submitted that the applicant is 66 years of age and has already been in custody for a period of 21 months. It is stated that the applicant has various medical issues and has undergone hernia related surgery while in custody.

11. Counsel appearing on behalf of the applicant submits that in the present case, chargesheet has been filed on 19th March, 2025. Counsel further submits that the charges are yet to be framed by the Trial Court and the trial is likely to take considerable period of time.

12. The applicant was granted interim bail on 13th November, 2025 and did not misuse the said liberty as he duly surrendered in time.

13. Ms. Shubhi Gupta, APP appearing on behalf of the State vehemently opposes the bail application.

14. She submits that in the present case, the applicant has cheated 22 complainants. It is further submitted that a sum of Rs.1.12 crores remain payable to the complainants, which is the amount cheated by the applicant.

15. It is submitted that the charges have not been framed against the applicant as a protest petition has been filed on behalf of the complainants to include the name of the daughter of the applicant in the chargesheet.

16. None appears on behalf of the complainants, even though the IO who is present in Court submits that the complainants have duly been informed

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of the present proceedings.

17. I have heard the counsel for the parties and examined the record of the case.

18. The applicant in the present case is of 66 years of age. The applicant has also undergone hernia related surgery while in custody.

19. It has also a matter of record that chargesheet in the present case has been filed on 13th March, 2025 and till date, charges are yet to be framed.

20. The chargesheet records that the house of the applicant has been sold in order to pay approximately Rs.19,00,000/- to other complainants. It is also a matter of record that a sum of Rs.8,80,000/- has been deposited by the applicant before this Court.

21. Without adverting to the merits of the case, at this stage, there appears to be some merit in the submission of the applicant that the offence of cheating would not be made out as the scheme/'Committee' continued to function till it was disrupted on account of the onset of the COVID pandemic. Of course, this submission would have to be tested in trial.

22. Nominal roll has been received which states that the applicant has remained in judicial custody for approximately one year and nine months. His conduct in jail has been reported to be 'satisfactory'. The applicant was granted interim bail and did not misuse the liberty granted to him and surrounded in time. The applicant is not involved in any other case.

23. Considering the totality of facts and circumstances in the present case, the age of the applicant, the period of incarceration, and the fact that the trial is likely to take considerable time, the present application is allowed and the applicant is directed to be released on bail, subject to the applicant furnishing bail bond in the sum of Rs.50,000/-, with one local surety in the

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like amount to the satisfaction of the Trial Court, and subject to the following conditions:

a. The applicant shall provide his latest mobile number(s) to the concerned Investigating Officer ("I.O.")/Station House Officer ("S.H.O."), which shall be kept in a working condition at all times. The mobile number shall not be switched off or changed without prior intimation to the I.O.

b. The applicant shall furnish his permanent address to the I.O., as well as the address where he is residing during the pendency of the matter, within one (1) week from today, and will inform the I.O. and this Court in case of any change in address.

c. The applicant will appear before the Trial Court as and when the matter is listed for hearing.

d. The applicant shall not leave the country without the permission of the Court.

e. The applicant shall not commit any offence during the period of their release.

f. 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.

24. The application is disposed of in the above terms.

25. Needless to state that any observations made herein are purely for the purposes of deciding the question of grant of bail and shall not be construed as an expression on the merits of the case.

26. Copy of the order be forwarded to the Jail Superintendent for necessary compliance.

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27. The order be given *dasti* under the signature of the Court Master.

AMIT BANSAL, J

NOVEMBER 3, 2026
Vivek/-

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