



\$~33

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

+ **BAIL APPLN. 2379/2026**

VISHAL BARMATE

.....Petitioner

Through: Applicant in person.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr.Ajay Vikram Singh, APP for State
along with Inspector Avdhesh Kumar,
PS IGI Airport.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

%

01.07.2026

CRL.M.A. 18515/2026 and CRL.M.A. 18554/2026 (for exemption)

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

BAIL APPLN. 2379/2026

1. The instant application has been filed on behalf of the applicant under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**) r/w Section 528 of BNSS seeking anticipatory bail with respect to FIR No. 763/2025 registered at Police Station (PS) IGI Airport *qua* offence under Sections 318(4)/319(2)/336(3)/340(2) of the Bharatiya Nyaya Sanhita, 2023 r/w Section 12 of the Passports Act 1967.
2. It is the case of the applicant that he has been falsely implicated in the instant case by the prosecution. It is contended that the applicant has been



arrayed as an accused solely on the basis of the statement of a co-accused, who is, in fact, the actual beneficiary of the alleged offence. It is submitted that the statement of the co-accused cannot constitute a valid basis for the arrest of the applicant. It is further submitted that, during the pendency of the bail application, the prosecution has not sought or insisted upon the custodial interrogation of the applicant. The applicant thus, contends that any deprivation of his liberty by way of arrest would amount to an unjustified infringement of his fundamental right to personal liberty.

3. The aforesaid submissions made by the applicant are vehemently opposed by learned counsel appearing on behalf of the State, who contends that the applicant has criminal antecedents and he was involved in a similar trial in the year 2022. It is, thus, submitted that the applicant namely, Vishal was introduced by an agent namely, Piyush and the applicant in turn has facilitated the actual beneficiary namely, Divya Kumar Mayaurbhai Soni to other persons, who procured the fake passport for beneficiary to travel USA.

4. It is the case of the prosecution that the applicant is the chain between the beneficiary and the other facilitators. It is contended that unless the applicant is taken into custody and subjected to custodial interrogation, the investigation cannot be taken to its logical conclusion. It is further submitted that Mr. Piyush, who allegedly introduced the beneficiary to the other persons involved, is absconding, and proceedings for the issuance of non-bailable warrants against him are presently underway. It is also submitted that the beneficiary after arrest has been granted bail by the concerned Court.

5. The Court has considered the submissions made by learned counsel for the parties and has also perused the record.



6. The statement of the beneficiary, namely Divya Kumar Mayaurbhai Soni, as available in the case diary, has been perused. It reveals that the applicant received cash from the beneficiary. It is further noted that one of the co-accused, namely Varun Patel, has expired. The identification of persons namely Mustafa and Mariam, who are alleged to have been projected as the fictitious parents of the beneficiary, is yet to be identified at the instance of the applicant. At present, apart from the beneficiary, no other accused has been arrested. Considering the prima facie involvement of the applicant in the alleged offence, the necessity of further investigation, and the applicant's antecedents, this Court is of the view that the applicant is not entitled to the relief of anticipatory bail. Accordingly, the present application stands rejected.

7. The applicant shall, however, be at liberty to apply for regular bail in the event of his arrest. It is clarified that any such application shall be considered and decided on its own merits, in accordance with law.

PURUSHAINdra KUMAR KAURAV, J

JULY 1, 2026

Nc