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

\+ BAIL APPLN. 2673/2025

KANCHAN .....Petitioner

Through: Mr. Sandeep Kr. Singh, Mr. Rishabh Agarwal, Mr. Anuvrat and Mr. Govind, Advocates.

versus

THE STATE OF NCT OF DELHI .....Respondent

Through: Mr. Manoj Pant, APP with SI Vikas Kumar DIU Dwarka

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

<u>O R D E R</u>

% **12.03.2026**

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 475/2021, registered at Police Station Sector 23, Dwarka, Delhi, for the commission of offence punishable under Sections 420/467/419/120-B of the Indian Penal Code, 1860 (hereafter '*IPC*').

2. Briefly stated, the case of the prosecution is that the present FIR was registered on the complaint of Dr. Ram Chander, who stated that he is the registered owner of a built-up property bearing No. 401B, measuring 175 sq. yards, situated at Sector-19, Dwarka, New Delhi. He alleged that the said property had been purchased and constructed by him after obtaining a loan from Punjab National Bank (PNB), Kailash Nagar Branch, Delhi by

mortgaging the same. It is alleged that on 05.10.2021, when his wife Anita visited the property, she found a notice dated 04.10.2021 affixed thereon regarding possession proceedings for non-payment of loan dues to PNB. The complainant alleged that some unknown persons had committed financial fraud by using forged title documents of his property as well as his identity documents to obtain a loan. He further stated that one Chandan Kumar had earlier been his tenant at the property and thereafter Ravi Kumar was inducted as a tenant on the assurances of local property dealers namely Dinesh Sethi and Radha Charan Sharma. The complainant expressed suspicion that Kanchan (the present applicant), Ravi Kumar, Dinesh Sethi and Chandan Kumar, in collusion with one D.P. Chauhan, Assistant Officer at PNB, had committed fraud in relation to his property.

3. During investigation, the complainant was examined and his statement under Section 161 of the Cr.P.C. was recorded, wherein he stated that he had neither stood as a guarantor for any such loan nor executed any document in that regard. He further stated that the photograph affixed on the alleged loan application was not his, though copies of his Aadhaar Card, PAN Card and ITRs had been attached with the application. He also stated that the signatures on the loan documents were not his and that the date of birth mentioned in the loan application as 28.04.1975 was incorrect, as his actual date of birth is 15.10.1961. He further stated that the original property documents were already lying with PNB in relation to the loan taken by the complainant himself. During investigation, the original loan application and related documents were obtained from PNB and the relevant bank account details and transaction records were also collected from the concerned banks. As per the records, the loan application had been submitted by

Kanchan (the present applicant), proprietor of Shakti Enterprises, who had allegedly produced a bogus guarantor in the name of Ram Chander. A loan of ₹1,95,00,000 was sanctioned on 29.05.2019 and was disbursed into the account of the present applicant on 30.05.2019. On the basis of the aforesaid complaint, the present FIR was registered and the applicant was arrested on 28.09.2023.

4. The learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. It is contended that the applicant has studied only up to the 8th standard and works as a house helper along with her husband, who is an auto driver. It is argued that the applicant was misguided and cheated by the co-accused persons. It is further submitted that the main accused has admitted in his disclosure statement that the entire scheme was orchestrated by him and that he had merely used the present applicant, Kanchan, as a scapegoat to obtain the loan. It is also submitted that the applicant has been in judicial custody for about two years and four months. It is, therefore, prayed that the applicant be granted regular bail.

5. The learned APP appearing on behalf of the State, on the other hand, opposes the present bail application and submits that there exists a clear chain of connectivity between the present applicant and the other co-accused persons involved in the case. It is argued that the present applicant, Kanchan, had impersonated/misrepresented herself as the wife of the complainant Sh. Ram Chander, had registered a fake firm in the name of M/s Shakti Enterprises, had forged the bank statement of HDFC Bank to secure the loan, had forged the Aadhaar Card and PAN Card of the complainant Sh. Ram Chander, had remained present at the property during

the visit of bank officials for verification, had also forged a rent agreement dated 18.02.2019 in respect of property bearing Flat No. C-2, S/F, H-739, Kh. No. 33/2/1, Palam Extension, Delhi, where M/s Shakti Enterprises was shown to be registered, and had received ₹1,50,000 in cash for representing herself as the wife of the complainant for the purpose of securing the loan. It is, therefore, prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed by learned **senior** counsel for the applicant and the learned APP for the State, and has perused the material on record.

7. After hearing the arguments and going through the material on record, this Court notes that the material collected during investigation indicates that the present applicant had allegedly impersonated herself as the wife of the complainant, Ram Chander, and had used forged identity documents for the said purpose. It has been alleged that a fake Aadhaar Card was prepared wherein the complainant was shown as the husband of the applicant instead of her real husband. The record further reveals that the loan amount of ₹1,95,00,000 was sanctioned and disbursed in the bank account of the present applicant. Out of the said amount, a sum of about ₹1,55,00,000 was transferred to the accounts of the co-accused persons, while about ₹45,00,000 was withdrawn in cash and is alleged to have been utilized by the present applicant.

8. This Court also notes that the present applicant had submitted the loan application to Punjab National Bank by projecting herself as the proprietor of M/s Shakti Enterprises and had also produced a bogus guarantor. On the basis of the said documents, the loan of ₹1,95,00,000/- was sanctioned. During investigation, the documents submitted with the loan application,

including the Aadhaar Card, PAN Card, bank account statements and certificate regarding financial status, were found to be forged. It has been revealed that the PAN Card used by the applicant was actually issued in the name of one Meera Devi, daughter of Dharampal Sharma. Further, the HDFC Bank account statement submitted with the loan application was found to be invalid, as the said account did not exist with HDFC Bank. The property documents submitted to the bank were also found to be scanned and fabricated documents.

9. As per the investigation conducted, co-accused Ravi Kumar Gahlot had introduced himself as the neighbour of the present applicant and had acted as a bogus guarantor in the transaction. The Income Tax Returns submitted by the present applicant were also found to be fake. It has further come on record that the present applicant had remained absconding and the address available on record was found to be false. She was eventually arrested on 28.09.2023 after coercive measures were taken, as she was allegedly using fake identity documents and changing her residence frequently.

10. This Court further notes that a rubber stamp bearing the name "For Shakti Enterprises" was recovered at the instance of the present applicant from the premises being used as the address of the said firm. It is also pertinent to note that the loan application form submitted to the bank was admittedly signed by the present applicant and her photographs were also taken at the property during verification by the bank officials. Further, during investigation that blank and partially filled cheques were recovered from the residence of the co-accused and that the blank signed cheque book of the present applicant was also found in the possession of the co-accused.

11. The material on record thus indicates that the loan had been obtained on the basis of forged documents relating to the property in question, which in fact belonged to the complainant Ram Chander and had already been mortgaged by him to PNB, Kailash Nagar. The circumstances therefore *prima facie* indicate that the accused persons had acted in collusion with each other in committing the alleged offence.

12. It is also a matter of record that the FSL report in respect of the documents in question has been received. As per the said report, the signatures on the documents were found to have been made by the accused persons, i.e. present applicant Kanchan (on the loan application and related documents), co-accused Ravi Kumar Gahlot (on the rent agreement and related documents) and Somnath Patial (on the loan sanction letter and other documents). The signatures of the complainant Ram Chander appearing on the loan documents as guarantor were found to be forged. The said FSL report has been placed on record before the learned Trial Court by way of a supplementary charge-sheet.

13. Considering the overall facts and circumstances of the case, the seriousness of the allegations, the role attributed to the present applicant in the commission of the offence, and the material collected during investigation, this Court is of the opinion that no ground for grant of regular bail is made out at this stage. It is also a matter of record that charges are yet to be framed in the present case.

14. Accordingly, the present bail application is dismissed.

15. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

16. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 12, 2026/A

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