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

\+ BAIL APPLN. 4466/2025 & CRL.M.A. 34578/2025

TAPAN @ MANNU .....Petitioner

Through: Ms. Nisha Priya Bhatia and Mr. Rakesh Kumar Yadav, Advs.

versus

THE STATE NCT OF DELHI .....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

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

% **05.02.2026**

1. By way of the instant application, the applicant seeks grant of regular bail in case arising out of FIR bearing No. 148/2022, registered at Police Station Crime Branch, South, New Delhi, for the commission of offence punishable under Section 3/4/5 of the Immoral Traffic Prevention Act, 1956 (hereafter '*ITP Act*') and Section 370/366B/120B of the Indian Penal Code, 1860 ('*IPC*').

2. Briefly stated, the facts of the present case, as per the prosecution, were that on 22.07.2022, secret information had been received regarding a prostitution racket being operated from premises located at Panchsheel Vihar, Malviya Nagar, New Delhi. Acting upon the said information, a police official had contacted an agent through WhatsApp, without disclosing his identity, and a deal for paid sexual services had been finalised. A decoy

customer had thereafter been provided with ₹15,000/- and, along with a shadow witness, had been directed to visit the aforesaid premises. Upon a raid being conducted, co-accused Mohd. Arup and Chande Sahni @ Raju had been apprehended at the spot, and the present FIR under Sections 3/4/5 of the Immoral Traffic (Prevention) Act had been registered. During the raid, several women of foreign origin had been found, who had failed to produce valid passports or visas. During the course of investigation, it had further transpired that the said co-accused persons were engaged in procuring and supplying women of foreign origin for prostitution in Delhi and other cities. At the instance of various co-accused, multiple passports, mobile phones, and one-time travel documents had been recovered. Disclosure statements revealed the existence of a larger trafficking network operating across States, involving the illegal entry of foreign women into India through Nepal, their placement in different cities, and their exploitation for monetary gain. On the basis of the material collected, offences under Section 370/34 of the Indian Penal Code and Section 14 of the Foreigners Act had also been invoked in the present case. It had emerged during investigation that the present applicant/accused Tapan @ Mannu had, along with co-accused Ranjeet Kumar, come to Delhi in the year 2020 and had initially been working in hotels as a cleaner. During this period, he had come into contact with brokers and agents, including Ranjeet, Anil, and co-accused Alisher Tillabaev, and had thereafter allegedly joined the human trafficking network. It was alleged that the present applicant had assisted the said co-accused in facilitating the movement and accommodation of women of foreign origin, who had been brought into India *via* Nepal, and in connecting them with other agents operating prostitution rackets in Delhi and nearby cities.

3. The learned counsel appearing on behalf of the applicant contends that the allegation of the prosecution that an amount of ₹84,68,335/-, stated to be proceeds of prostitution, was deposited in the bank account of the applicant is wholly misconceived and unsupported by the material on record. It is argued that the said amount did not belong to the applicant and that he is, in fact, a *tabla* player by profession, earning his livelihood through music. The learned counsel submits that, owing to his modest background and social associations, the applicant had, on humanitarian considerations, permitted certain persons who did not possess valid identity documents or residential proof to use his bank account for receiving money, and the funds deposited therein were attributable to those persons and not to the applicant himself. It is further contended that mere presence of money in the applicant's bank account, without any cogent evidence establishing its nexus with the alleged prostitution racket, cannot be treated as incriminating material. The learned counsel thus submits that the applicant has been falsely implicated in the present case on the basis of conjectures and assumptions, and that there is no substantive evidence on record to *prima facie* establish his involvement in the alleged offences.

4. The learned APP for the State, on the other hand, submits that the present applicant is actively involved in the commission of the alleged offences and that sufficient material has been collected during investigation to connect him with the same. It is contended that there are specific allegations against the applicant, duly supported by statements of the victims recorded during the course of investigation. The learned APP further argues that, prima facie, the material on record discloses the involvement of the

applicant in serious and heinous offences punishable under the Immoral Traffic (Prevention) Act as well as offences relating to human trafficking. It is also submitted that electronic evidence, along with financial transactions traced to the applicant, clearly establish his link with the illegal activities in question and demonstrate his role in the organised racket.

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

6. The allegations against the present applicant, in brief, are that he was an active participant in an organised human trafficking and prostitution racket involving the supply of foreign women for paid sex. It is alleged that he was in regular contact with other co-accused, facilitated the movement and accommodation of foreign nationals through illegal means, and was found in possession of electronic devices containing photographs, passports, and communications relating to such activities.

7. This Court notes that the material collected during investigation, reveals that the name of the applicant was first disclosed by co-accused Mohd. Arup, who was the earliest arrested accused in the present case and the persons involved in trafficking foreign women, particularly Uzbek nationals, into India through Nepal, along with other associates. This Court observes that the applicant was found to be in continuous contact with other accused persons through his mobile number, and his connectivity with the larger network stands reflected from call detail records and electronic evidence.

8. It is noted that the role attributed to the applicant is not peripheral, but indicative of his integration into the operational framework of the racket.

9. This Court further notes that although the applicant was arrested approximately two years after registration of the FIR, his arrest led to the recovery of two mobile phones from his possession. A forensic and manual examination of the said devices revealed thousands of photographs of foreign women, including photographs of passports and travel documents, as well as extensive WhatsApp chats pertaining to the supply of foreign women in exchange for money. The nature, volume, and content of the electronic material recovered cannot be brushed aside as innocuous or incidental, and *prima facie* reflects systematic and sustained involvement in illegal activities connected with prostitution and trafficking.

10. This Court is of the opinion that though the contention of learned counsel for the petitioner that the accused is innocent and is only a *tabla* player and he had only allowed persons with no address or valid documents of residential proof to use his bank account for keeping their money is devoid of merit, it rather points out to a more dangerous act where the accused has allowed people who have no valid documents to live in India, or have any residential proof to use his bank account. The accused however has not been able to provide the identity or proof in support of such submission.

11. This Court also takes note of the financial trail unearthed during investigation. Notices under Section 91 Cr.P.C. were issued to various banks, pursuant to which transaction details of accounts held in the name of the applicant were obtained. In particular, the account maintained with DBS Bank revealed credits amounting to ₹84,68,335/- over a period of approximately three years. The pattern of transactions, consisting of frequent credits below ₹50,000/- on a regular basis, prima facie appears structured and inconsistent with ordinary personal income, especially in the absence of

any cogent explanation or supporting material to justify such inflows. At this stage, the explanation sought to be offered on behalf of the applicant that the account was merely being used for others does not inspire confidence and remains a matter for trial.

12. This Court further observes that the said bank account also reflects multiple in-out transactions with other accused persons, including Mohd. Arup and Ranjeet Kumar Mehta, around and prior to the registration of the FIR. Such financial interlinkages lend further corroboration to the prosecution case that the applicant was not acting in isolation but was part of a coordinated network involved in the commission of the alleged offences.

13. The allegations against the accused supported by the recovery of thousands of photographs of Indian as well as female nationals of Uzbekistan were found who were being used for paid sex, make his role in the offence clear. Incriminating WhatsApp chats were also seized with customers and other agents describing the rates charged for paid sex and the availability of the women for the same. They were also found connected to the WhatsAPP groups of other agents who were also indulging in the same offences in the other cities in India.

14. This Court also takes note of the fact that the present case involves serious and grave offence of human trafficking of foreign nationals and forcing them into prostitution. Further, the bank account details of the accused as well as the WhatsApp chats recovered from the mobile phone belonging to him *prima facie* point out towards his involvement in the offence in question. The allegations in the present case are very serious that the accused used to help women of foreign origin, to be brought to India illegally and thereafter, running a racket of prostitution and the money paid

for paid-sex being used by him, though it was stated by the learned counsel for the petitioner that the accused is poor and only earned his living by playing *Tabla* and *Dugdugi,* the amount found in his bank account and the financial transactions of about Rs.90 lakhs are unexplained. Further, the financial transactions were found connected with the co-accused, who were caught at the spot itself, while they were accepting money for paid sex. The incriminating WhatsAPP chats and the financial transactions at this stage are sufficient to be taken note of regarding the seriousness of the offence. The charges have been framed in the present case, and witnesses are still to be examined.

15. Thus, considering the overall facts and circumstances of the case, the nature and gravity of the allegations, as well as the electronic evidence and financial transactions placed on record, this Court is not inclined to grant bail to the applicant. The application is, accordingly, dismissed.

16. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

17. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

FEBRUARY 05, 2026/ns