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

+ **BAIL APPLN. 4500/2025**

RAMAKANT PANDEY

.....Petitioner

Through: Mr. Manish Vashishtha, Mr.
Upender Thakur, Mr. Vivek
Kumar Singh and Ms. Sonal
Awasthi, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP with SI
Amit Kumar PS: IGI Airport.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **16.02.2026**

1. The petitioner seeks anticipatory bail in connection with FIR No. 595/2025 dated 24.08.2025, registered at Police Station I.G.I. Airport under Sections 318(4)/319(2)/336(3)/340(2)/61(2) of the Bharatiya Nyaya Sanhita, 2023, and Section 12 of the Passports Act, 1967.
2. Notice was issued in the present application on 24.11.2025. Status report has been handed over by Ms. Manjeet Arya, learned Additional Public Prosecutor for the State, which is taken on record.
3. The facts of the case, as stated in the status report, are that two passengers were apprehended by CISF officials at I.G.I. Airport, Delhi, on 24.08.2025 on suspicion of impersonation. They were handed over to the immigration authorities. The passengers disclosed their identities as Ajit Singh and Dalbir Kaur, who were travelling on Indian passports



bearing Nos. C2100632 and C0745184, respectively. They were proposing to travel to Italy via Oman. During scrutiny, it was found that their real identities were Santok Singh s/o Tara Singh and Devki Rani w/o Tara Singh, both Afghan nationals. It was also found that although they claimed to be husband and wife, they were, in fact, mother and son.

4. The FIR was registered on the above facts, and during the investigation, the passengers disclosed that their Indian passports had been arranged through an agent. They named an agent called Raju, which, according to the prosecution, is in fact a pseudonym of the present petitioner. The address provided in the passports was found to be false, and the passengers had never resided there.

5. As far as the role of the present petitioner is concerned, the status report reveals that a person was seen interacting with the accused passengers after arriving at the airport in a vehicle bearing registration No. DL-7CS-2802. The said vehicle is registered in the name of the petitioner and has since been seized. Ms. Arya states that the CCTV footage also shows the interaction between the present petitioner and the passengers at the airport shortly before they were apprehended. The CCTV footage also shows interaction between the two passengers and one Samlesh Kumar, who is alleged to be an employee/associate of the present petitioner. The said photographs have also been placed before the Court. In fact, the telephone number of Samlesh Kumar [8285628430] is stated to be an alternate number of the petitioner.

6. The status report further reveals that, during the investigation, it was found that the tickets of the two passengers were booked by a travel agency by the name of M/s Wings to Fly Travels, Tilak Nagar. The travel



agent states that he had booked the tickets on the instructions of one Sohan Singh @ Kittu, who is alleged to have implicated the present petitioner.

7. Mr. Manish Vashishtha, learned counsel for the petitioner, submits that the petitioner has no knowledge of the alleged offence and is not acquainted with the aforesaid passengers at all. According to the petitioner, during the course of the inquiry, when he reported to the police station, the accused did not recognise him. Mr. Vashishtha further submits that the petitioner was, in fact, at the airport on the said date only to see off another passenger by the name of Sahil Arora. He submits that the petitioner was granted interim protection by order dated 06.10.2025 passed by the learned Sessions Court and joined the investigation; however, the anticipatory bail application was finally dismissed by order dated 13.11.2025 passed by the learned Sessions Court. He contends that custodial interrogation of the petitioner is not required in the facts and circumstances of the present case, and that the petitioner has clean antecedents.

8. Ms. Arya, on the other hand, submits that the offence in the present case is serious, involving impersonation for the purposes of obtaining passports and immigration. She relies upon the material outlined in the status report to submit that there is a *prima facie* case against the petitioner.

9. Having heard learned counsel for the parties, I am of the view that it is not appropriate to grant anticipatory bail to the petitioner in the present case. The allegations are serious, involving impersonation for the purposes of immigration and issuance of false passports. The passengers



who were apprehended at the airport are, according to the prosecution, seen in CCTV footage, prior to their departure, interacting with the present petitioner, and his associate, Samlesh Kumar. This is sought to be supported by the petitioner being the registered owner of the car from which the person emerged, who is seen interacting with the passengers. The link between him and Samlesh Kumar is also *prima facie* established on the basis of Samlesh Kumar's number being the alternate contact number of the present petitioner.

10. This is not a case in which the Court can dispense with the necessity of custodial interrogation. The extent and modus of operations is yet to be uncovered. It is well settled that custodial interrogation is significantly more effective in eliciting relevant information, and such effectiveness may be substantially impaired if the accused is afforded the protection of anticipatory bail. In *State v. Anil Sharma*¹, the Supreme Court explained this approach in the following terms:

“6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation-oriented than questioning a suspect who is well ensconced with a favourable order under Section 438 of the Code. In a case like this effective interrogation of a suspected person is of tremendous advantage in disinterring many useful informations and also materials which would have been concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third-degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The Court has to presume that responsible police officers would conduct themselves in a responsible manner and that those entrusted with the task of disinterring offences would not conduct

¹ (1997) 7 SCC 187.



themselves as offenders.”²

The same view has been expressed recently, in *P. Krishna Mohan Reddy v. State of A.P.*³

11. Even otherwise, the discretion vested in the Court while considering an application for anticipatory bail must be exercised by carefully balancing the individual’s right to personal liberty with the societal interest in ensuring a fair and effective investigation. Reference in this connection may be made to the judgment of the Supreme Court in *Sumitha Pradeep v. Arun Kumar C.K.*⁴, wherein it was observed as under:

“12. We are dealing with a matter wherein the original complainant (appellant herein) has come before this Court praying that the anticipatory bail granted by the High Court to the accused should be cancelled. To put it in other words, the complainant says that the High Court wrongly exercised its discretion while granting anticipatory bail to the accused in a very serious crime like Pocso and, therefore, the order passed by the High Court granting anticipatory bail to the accused should be quashed and set aside. In many anticipatory bail matters, we have noticed one common argument being canvassed that no custodial interrogation is required and, therefore, anticipatory bail may be granted. There appears to be a serious misconception of law that if no case for custodial interrogation is made out by the prosecution, then that alone would be a good ground to grant anticipatory bail. Custodial interrogation can be one of the relevant aspects to be considered along with other grounds while deciding an application seeking anticipatory bail. There may be many cases in which the custodial interrogation of the accused may not be required, but that does not mean that the prima facie case against the accused should be ignored or overlooked and he should be granted anticipatory bail. The first and foremost thing that the court hearing an anticipatory bail application should consider is the prima facie case put up against the accused. Thereafter, the nature of the offence should be looked into along with the severity of the punishment. Custodial interrogation can be one of the grounds to decline anticipatory bail. However, even if custodial interrogation is not required or

² Emphasis supplied.

³ 2025 SCC OnLine SC 1157, paragraph 19.

⁴ 2022 SCC OnLine SC 1529.



necessitated, by itself, cannot be a ground to grant anticipatory bail.”⁵

12. In the present case, having regard to the nature of the offence, and the *prima facie* material placed on record, I am of the view that this is not a fit case for grant of anticipatory bail.

13. The application is, therefore, dismissed.

14. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application and shall not influence the trial proceedings, nor shall they be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

FEBRUARY 16, 2026

SS/JM/

⁵ Emphasis supplied.