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

+ **BAIL APPLN. 4632/2025**

RUPASHREE MAJUMDER

.....Petitioner

Through: **Mr. Bhaskar Aditya, Advocate.**

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: **Mr. Tarang Srivastava, APP with
Mr. Tushar Nirwan, Advocate.
Complainant in person.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **09.02.2026**

CRL.M.A. 4276/2026 (for early hearing)

The petitioner has filed this application for early hearing of the captioned bail application.

For the reasons stated, the application is allowed. The bail application is taken up for hearing with the consent of learned counsel for the parties.

The application is disposed of.

BAIL APPLN. 4632/2025

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks regular bail in connection with FIR No. 469/2022 dated 24.08.2022, registered at Police Station, Safdarjung Enclave, District South West, New Delhi, for offences punishable under Sections 409 and 420 of the Indian Penal Code, 1860.



2. The FIR was registered against the petitioner on a complaint of Ms. Shweta Saxena, who was the Manager of State Bank of India [“SBI”], Green Park Extension Branch, New Delhi. It was alleged in the FIR that, the petitioner, who was posted as Deputy Manager, SBI, Green Park Extension Branch from 11.06.2019 to 22.07.2022, had misappropriated a sum of Rs. 27,94,292/- from the bank’s funds. The allegation is that on 17.05.2022, the petitioner opened a Public Provident Fund account [Account No. 40183980693] in the name of her mother, and wrongfully debited a banker’s cheque.
3. During the course of investigation, various other documents were also discovered, as a result of which it is alleged that the petitioner had credited a sum of approximately Rs.1.35 crores in the name of her mother. The petitioner was also subjected to a departmental inquiry, in which she has been dismissed from service, and the misappropriated amount has been recovered.
4. An application for anticipatory bail [BAIL.APPL. 66/2023: *Rupashree Majumder v. State (NCT of Delhi) through SHO Safdarjung*], filed by the petitioner was dismissed by this Court *vide* judgment dated 19.12.2023.
5. The petitioner’s application for regular bail was dismissed by the learned Magistrate’s Court on 20.08.2025, and by the learned Sessions Court on 17.10.2025, leading to the filing of the present application before this Court.
6. The State has filed a status report.
7. I have heard Mr. Bhaskar Aditya, learned counsel for the petitioner, Mr. Tarang Srivastava, learned Additional Public Prosecutor,



and Ms. Shweta Saxena, the complainant, who is now posted as Chief Manager, SBI.

8. Mr. Aditya submits that the investigation has concluded and the chargesheet has already been filed on 11.09.2025. No further investigation is, therefore, required. He states that the amount in question has also been recovered from the petitioner, and that she has been in custody since 26.07.2025, for a period of approximately six months.

9. Mr. Srivastava and the complainant, however, oppose the grant of bail, drawing my attention to the seriousness of the allegations against a bank officer, who is accused of having misappropriated bank funds for her personal gain. It is also submitted that, although the FIR was registered on 24.08.2022, the petitioner was untraceable and was ultimately arrested only on 26.07.2025, from her hometown. Her address was revealed by a secret informant.

10. Having heard learned counsel for the parties, I am of the view that this is not an appropriate case for grant of regular bail, particularly having regard to the fact that the petitioner evaded the proceedings for a period of almost three years.

11. Mr. Srivastava has handed over an order of this Court dated 19.12.2023 in BAIL APPLN. 66/2023, whereby the anticipatory bail application of the petitioner was dismissed. The Court has noted the submission of learned counsel for the petitioner, *“that Petitioner was unable to join for investigation, when a notice was received on her WhatsApp on account of ill health and in support of this, she had forwarded the medical documents to the IO”*. The complainant had also submitted that, during investigation, the petitioner had destroyed



important documents and apprehended that she would abscond if granted protection. The Court declined the relief of anticipatory bail.

12. Mr. Aditya states that the aforesaid order was also challenged before the Supreme Court in *Rupashree Majumder v. State (NCT of Delhi)* [SLP(CRL.) 972/2024, decided on 25.01.2024], but the Supreme Court declined to grant Special Leave to Appeal.

13. The order of the learned Magistrate's Court dated 20.08.2025 also records that the petitioner evaded the process of law for nearly three years, and failed to join the investigation despite repeated notices. The medical grounds taken up by her were found to be unsubstantiated by any contemporaneous documentation. She was ultimately apprehended from another State by a raid based on source information.

14. Even before this Court, as far as this aspect is concerned, the only submission of Mr. Aditya is with regard to the petitioner's illness, which prevented her from joining the investigation. I am unable to accept this submission as it is unsupported by documents which may explain her absence from investigation for a period of almost three years.

15. In these circumstances, I am not satisfied, *prima facie*, that the petitioner will be available to stand trial, if she is released on bail.

16. Mr. Srivastava and the complainant are also correct in drawing my attention to the gravity of the offence. A banker acts in a fiduciary capacity. The allegation against the petitioner, with regard to misappropriation of a large sum of over Rs.1.63 crores to the account opened in the name of her mother, is *prima facie* serious, and depicts gross dereliction of duty.

17. The period of the petitioner's incarceration, at this stage, is of



approximately six months, which also cannot be held to constitute such prolonged incarceration as to justify sympathetic consideration of her application at this stage.

18. For the aforesaid reasons, the application is dismissed.

19. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

FEBRUARY 9, 2026
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