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

\+ BAIL APPLN. 4807/2025 & CRL.M.A. 37011/2025

PAL SINGH .....Petitioner

Through: Mr. Rajat Kumar and Mr. Karthik M, Advocates

Versus

STATE NCT OF DELHI & ANR. .....Respondents

Through: Mr. Manoj Pant, APP for the State

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

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

% **15.01.2026**

1. By way of the present application, the applicant seeks grant of anticipatory bail in a case arising out of FIR bearing no. 246/2024, registered at Police Station Kishan Garh, for the commission of offence punishable under Section 420 of the Indian Penal Code, 1860 (hereafter *'IPC'*).

2. Briefly stated, the facts of the present case are that the applicant/accused is a taxi driver by profession. He represented to the complainant that his brother-in-law was settled in Canada and that arrangements were being made to send his son there. On this pretext, the applicant further induced the complainant to believe that he could also be sent to Canada and assured him of assistance in securing employment there as a driver. Relying upon these representations, the complainant paid a sum of ₹12,00,000 to the applicant/accused for arranging a driver's job in Canada. However, the applicant failed to make any such arrangements. When the complainant demanded the return of his money, the

applicant/accused absconded. Consequently, the present FIR came to be registered against him.

3. The learned counsel appearing on behalf of the applicant argues that the applicant/accused is a 61-year old man who works as a taxi driver. He argues that he has been falsely implicated in the present case as he was the middle man who received the money but gave it to someone else. Further, it is argued that the applicant/accused had borrowed Rs.30,000/- from the applicant/accused which he had returned to him with interest. It is further argued that even prior to the registration of the present FIR, the applicant/accused had lodged a complaint on 08.02.2024 regarding threats extended by the complainant. It is contended that the FIR filed by the complainant is vague and does not disclose any specific date, time, or place of the alleged handing over of the money. The period of the alleged offence is broadly stated to be from 01.11.2019 to 31.08.2023, lasting nearly four years, without any specific particulars. It is also argued that the FIR has been lodged after an inordinate and unexplained delay. It is further argued that the applicant/accused has been cooperating with the investigation. Further, it is argued that the custodial interrogation of the applicant/accused is being sought solely for the purpose of obtaining his handwriting and voice samples, and such samples can be lawfully collected without effecting his arrest.

4. The learned APP for the State, on the other hand, argues that the present FIR was registered on the complaint of the complainant, stating that the applicant/accused has cheated the complainant for Rs. 12,00,000/- to get a job as a driver in Canada. It is argued that the applicant/accused has issued a cheque for an amount of Rs.12,00,000/- dated 15.01.2024 in favour of the

complainant drawn on Bank of Baroda, Vasant Kunj, Delhi, which got dishonoured. The learned APP further argues that it is verified by the bank that the cheque was issued by the applicant/accused. It is further argued that there exists a written acknowledgment for an amount of ₹7,00,000/-, duly signed by the applicant/accused, which records that the said amount was paid by the complainant to the applicant/accused. The document bears the admitted signatures of the applicant/accused and is required to be sent for comparison and verification. It is also submitted that there is a voice recording in which the applicant/accused has admitted to the monetary transaction. The said voice sample is yet to be matched, as the applicant/accused is allegedly not cooperating with the investigation in this regard. In view of the aforesaid circumstances, it is prayed that the applicant/accused may not be granted the relief of anticipatory bail.

5. This Court has **heard** arguments addressed on behalf of the learned counsel appearing for the petitioner as well as the learned APP for the State, and has perused the material available on record.

6. The allegations against the applicant/accused are that he has induced the complainant to part with Rs.12,00,000/- on the pretext that he would get a job in Canada. However, it is alleged that the applicant/accused could neither arrange a job for him in Canada nor he had returned the money.

7. It is pertinent to note that a cheque dated 15.01.2024 was issued by the applicant/accused in the name of the complainant, which was dishonoured due of insufficient funds, which has also been verified by the bank concerned.

8. It is noted that a written note was given by the complainant to the Investigating Officer mentioning the details of the amount of money given

by the complainant to the accused/applicant which is signed by the applicant/accused in presence of three witnesses. The statements of the two out of three witnesses have been recorded under Section 180 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the same corroborates the written note.

9. Further, a pen drive was handed over by the complainant to the I.O., which has a call recording wherein the applicant/accused has admitted to the alleged money transaction.

10. Therefore, in this Court's opinion, there is merit in the contention of the learned APP for the State that for the purpose of forensic examination, the voice sample of the applicant/accused is required to be secured in order to match it with the voice in the call recording. Additionally, for verification of the signature of the applicant/accused, handwriting analysis is necessary, for which handwriting/signatures are required to be procured from the applicant/accused. Further, the amount of money cheated is also to be recovered which will require custodial interrogation of the accused.

11. Considering the overall facts and circumstances of the present case and that the applicant/accused has not joined the investigation and that the handwriting and voice analysis is yet to be done, this court is *not inclined to grant anticipatory bail* to the applicant/accused.

12. Accordingly, the present application stands dismissed.

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

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JANUARY 15, 2026/ns/RB/GJ