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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 4946/2025, CRL.M.A. 38152/2025

PAWAN SAINI

.....Applicant

Through: Mr. Manish Kumar and Mr.
Manohar Kumar, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for the
State with Ms. Vanshika Singh and
Mr. Bhanu Pratap Singh,
Advocates. SI Pawan Kumar, PS:
V.K. South.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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21.04.2026

1. Learned APP has handed over a copy of the latest Status Report, which is taken on record.
2. By virtue of the present application under *Section 483* read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the applicant seeks grant of regular bail in proceedings arising out of FIR No.133/2025 dated 08.03.2025 registered at PS: Vasant Kunj under *Sections 318(4)/316(2)/3(5)/357* of the Bharatiya Nyaya Sanhita, 2023.
3. *Succinctly put*, as per prosecution the applicant along with his two associates, one of whom is a distant relative of the complainant, swindled huge sums of money from the complainant and his friends cumulatively amounting to over Rs.60,00,000/- (*Rupees Sixty Lacs Only*) in a fraudulent consultancy operation which claims to send persons abroad to the USA and/ or Canada. Accordingly, the FIR was registered and the applicant was arrested on 27.03.2025.



4. In these facts, for seeking a regular bail learned counsel for the applicant submits that the applicant has been under incarceration for over *one year* already, even though nothing has been recovered at his instance, as also no specific role has been assigned to him since there are no allegations pertaining to any place, date or time where the applicant had any dealing(s) with the complainant, and the overall contents of the FIR are vague in nature. He also submits that he is a law-abiding citizen with a family to support.

5. *Per contra*, learned APP for State opposes grant of bail to the applicant on the ground that the applicant is a habitual offender with prior involvements in *two* other FIRs in Haryana, one FIR is wherein he has been convicted under the Excise Laws, and the other FIR is *qua* similar offences of defrauding using nearly identical methods, showing the *modus operandi* of the applicant and his team. He further submits that the other co-accused persons are absconding, which points to every risk of the applicant evading the process of law if enlarged on bail, especially when his residence is in Haryana, i.e. outside the precincts of the learned Trial Court.

6. Heard., as also perused the contents before this Court.

7. The offences involved herein reflect that the applicant has been involved in cheating members of the public of huge sums of money, and that too by dubious means as he was involved in making promises to send people abroad illegally. The same itself is a grave act. A perusal of the FIR reflects that the applicant has not only been specifically named therein but also has been clearly identified as a member of a group of persons carrying on the alleged criminal activities. As such, there is a definite role



assigned to the applicant. Also, in addition to the present FIR the applicant is also involved in two other FIR's, one of them with a similar mode of operation beyond Delhi. In fact, the trans-State presence of the applicant as also the fact that the other co-accused are currently absconding shows a grave apprehension in the mind of this Court that the network herein is large and releasing the applicant might prejudice a fair inquiry at this stage.

8. In view of the afore-going, this Court is of the view that a fit case for releasing the applicant on bail is not made out at this stage.

9. Accordingly, the present application is dismissed.

10. Needless to say, expression of view(s) on the merits involved, if any, are solely for the purposes of adjudication of the present bail application and shall have no bearing on the overall case/ trial involved.

SAURABH BANERJEE, J

APRIL 21, 2026/NA