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

+ **BAIL APPLN. 192/2026**

ROHAN KHINCHI

.....Petitioner

Through: Mr. Arvind Kumar and Mr. Ankit
Kumar Vats, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Priyanka Dalal, APP.
SI Bhupender Singh, PS: Karol
Bagh.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **29.01.2026**

1. By way of this application, the applicant seeks anticipatory bail in connection with FIR No. 1153/2025 dated 25.09.2025, registered at Police Station Karol Bagh under Sections 318(4), 316(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
2. Ms. Priyanka Dalal, learned Additional Public Prosecutor, has handed over a status report in Court, a copy of which was also made available to Mr. Ankit Kumar Vats, learned counsel for the applicant. The hearing was accordingly passed over to enable Mr. Vats to peruse the status report. The status report is hereby taken on record.
3. The FIR was registered on the complaint of one Mr. Gaurav Pratap Singh. Although the applicant was not one of the eight persons originally named in the FIR, he has been implicated based on the statements of the co-accused and an independent witness.



4. As stated in the status report, the complainant alleged that one of the accused – Suresh Verma, runs a firm known as “*Trade Profit Fund*”, which accepts cash deposits from individuals and purportedly returns 1.5 times the deposited amount via RTGS. It is further alleged that the complainant met Suresh Verma on 18.08.2025, alongwith two other accused, namely Adil and Wajid, and was instructed to bring cash to a specified location on the following day, in exchange for which he would receive 150% of the amount deposited via RTGS.

5. According to the complainant, he brought Rs. 2 crores in cash to the specified location on 19.08.2025 at about 1:30 P.M., where he encountered five of the accused, while the sixth accused coordinated via mobile phone. The complainant accompanied the accused, who took the cash to a godown at Platinum Plaza, Gali No. 7, Beadonpura. The complainant was, however, not permitted to enter the godown and handed over two bags containing the cash to the accused Rahul, who went inside the godown and subsequently disappeared. The RTGS payment was never made to the complainant, and he later discovered that no godown existed at the said location.

6. During the course of investigation, CCTV footage was examined, which showed various accused persons, excluding the present applicant. The co-accused Rahul was observed carrying one bag of cash, and subsequently he and another masked person were seen carrying both bags.

7. Insofar as the present applicant is concerned, the allegations against him were initially derived from the statements of two co-accused, Rahul and Bhawani. They stated that they were acting under the instructions of



the applicant herein and one Monish, who communicated with them via international WhatsApp numbers. Rahul specifically stated that he handed over the cash to the applicant at a parking lot in Prasad Nagar, Delhi, and subsequently proceeded to Mumbai, allegedly financed with cash provided by the applicant. Rahul indicated the location where the cash was handed over, and further stated that the applicant directed the parking attendant to provide him with footwear, as he had left his slippers outside the godown. While the co-accused were unable to furnish the residential address of the applicant, they provided the international mobile number used by him.

8. The Investigating Officer subsequently examined the parking attendant, whose statement has been recorded and annexed to the status report. The parking attendant stated that he is acquainted with Rohan [the present applicant], his brother Rohit, and their family, as they frequently park their cars and bikes in the lot. He further stated that on 19.08.2025, at approximately 7:00 PM, two boys arrived at the parking lot on a scooty with two bags, while Rohan was waiting for them for 10 to 15 minutes. The bags were handed over to Rohan, who placed them in his car. He instructed the parking attendant to provide a pair of slippers to one of the boys, and gave the attendant Rs. 500/-. It is further stated that Rohan gave a stack of currency notes to one of the other persons present, instructed him to proceed to Mumbai, and subsequently took and destroyed the mobile phone and SIM card of that person. After their departure, Rohan left in his car with the two bags.

9. On the basis of the information provided by the parking attendant, the present applicant has been identified. Notices have been served upon



him under Section 35(3) of the Bharatiya Nyaya Suraksha Sanhita, 2023, but he has not joined the investigation. Non-bailable warrants have also been issued against him.

10. The status report further indicates that the applicant has criminal antecedents, and two other FIRs have been registered against him, namely, FIR No. 397/2022 at Police Station Ashok Vihar (under Sections 406, 420, 419, 468, 471, and 120B of the Indian Penal Code, 1860 [“IPC”]) and FIR No. 46/2022 at Police Station Chetganj, Varanasi, Uttar Pradesh (under Sections 406, 468, 471, 419, 420, and 34 of the IPC).

11. The applicant initially approached the learned Sessions Court for grant of anticipatory bail, which was declined by order dated 13.12.2025.

12. Mr. Vats submits that the present case is fit for the grant of anticipatory bail, as the applicant was not named in the FIR. The only material implicating him arises from the statements of the co-accused. It is further submitted that, while the statement of the parking attendant was recorded by the Investigating Officer on 23.11.2025, notice was issued to the applicant only on 03.12.2025. With regard to the two other FIRs registered against the applicant, Mr. Vats states that the applicant is currently on bail in both matters.

13. Ms. Dalal vehemently opposes the grant of anticipatory bail. She submits that the applicant has been identified, not only on the basis of the statements of the co-accused, but also by the statement of the parking attendant, who is an independent witness. Ms. Dalal further submits that the allegations against the applicant are serious, as he is alleged to have masterminded the entire operation, and that the cash provided by the complainant was allegedly in his possession.



14. Having heard learned counsel for the parties, I am of the view that this is not an appropriate case for the grant of anticipatory bail. The applicant is alleged not only to have masterminded the operation, but has also been implicated on the basis of the statements of the co-accused, as well as an independent witness. The statement of the parking attendant, *prima facie*, supports the prosecution's case that the bags in question were handed over to the present applicant, and these have not been recovered. The applicant is also accused in two other FIRs relating to similar offences. In the present FIR, he has failed to respond to the notices issued by the police, and non-bailable warrants have since been issued against him.

15. This is not a case in which the Court can dispense with the possibility of custodial interrogation. 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

¹ (1997) 7 SCC 187.



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 themselves as offenders.”²

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

16. 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 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***

² Emphasis supplied.

³ 2025 SCC OnLine SC 1157, paragraph 19.

⁴ 2022 SCC OnLine SC 1529



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

17. In view of the nature of the alleged offences and the role attributed to the applicant, which is *prima facie* substantiated by the material on record, I am not inclined to grant anticipatory bail in the present case.

18. For the aforesaid reasons, the applicant’s application for anticipatory bail is dismissed.

19. It is clarified that any observations made in 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

JANUARY 29, 2026
SS/SD/

⁵ Emphasis supplied.