

**Bail Matter: 210/2026**  
**State Vs. Neha Poonia**  
**FIR No. 09/2025**  
**PS: Cyber Cell**  
**U/s: 318(4)/319(2)/336(3)/ 337/314/  
338/340(2)/316(5)/61(2) of BNS**

**19.03.2026**

**ORDER ON APPLICATION FOR GRANT OF BAIL FILED  
ON BEHALF OF THE APPLICANT/ACCUSED NEHA  
POONIA**

1. This order of mine shall dispose of an application for grant of regular bail filed on behalf of the applicant/accused Neha Poonia.
2. I have already heard Ld. Counsel for the applicant/accused and the Ld. Addl. Public Prosecutor for State.
3. Sh. Manish Kumar Singh, Ld. Counsel for the applicant/accused has submitted that the applicant/accused was posted as Sub Inspector in Delhi Police and presently under suspension, as she was arrested in the present case on 22.07.2025 and since then, she is in judicial custody. The applicant/accused has been falsely implicated in the present case, as she has nothing to do with the alleged crime in question. Even, co-accused Ankur Malik has specifically disclosed during his interrogation that the applicant/accused has no role in this, she was not aware about withdrawal of money. She has no knowledge about the cheated amount. Ld. Counsel has also submitted that in the present case, no sanction whatsoever has been taken by the investigating agency, as mandated Sec. 218 of BNSS.

4. Ld. Counsel for the applicant/accused has further submitted that in the case in hand, investigation qua the present applicant/accused is complete and chargesheet has already been filed and no incriminating material has been recovered from the possession of the applicant/accused. Ld. Counsel has also submitted that as per the chargesheet, the applicant/accused eloped with Ankur Malik and fled to Indore from where, she has been shown to be arrested and as per the case of the prosecution, the applicant/accused has not received any money from any of the co-accused persons, except co-accused Ankur Malik, nor she was in touch with any other co-accused. Moreover, the applicant /accused has not forged or fabricated any document in any manner, or misused her official capacity.

5. Ld. Counsel for the applicant/accused further submitted that the applicant/accused is a young woman with a clean records and is herself a victim of manipulation by the main accused. She is not even previously involved in any criminal case, nor she is previously convicted in any criminal case. Ld. Counsel has also submitted that in the present case, the prosecution has cited total 30 witnesses, therefore, it may take long time in completion of the trial and no fruitful purpose would be served by keeping the applicant/accused behind bars any longer and prayed for grant of bail, as the applicant/accused undertakes to appear on each and every date of hearing, if she is released on bail in the present case and she also undertakes to abide by all the terms and conditions, as imposed upon her.

6. On the other hand, Ld. Additional Public Prosecutor for the State has vehemently opposed the present application for

bail and submitted that in the present case, the applicant/accused has committed the offences U/s. 318(4)/319(2)/336(3)/337/314/338/340(2)/316(5)/61(2) of BNS alongwith the co-accused persons. In the present case, cheating of huge amount to the tune of Rs.17,50,000/- has been committed, after committing forgery. He had also submitted that the another application for grant of bail of the present applicant/accused was also dismissed on 03.12.2025 by this Hon'ble Court and there are documentary evidence against the applicant/accused, which shows that the applicant/accused has played active role with co-accused Ankur Malik in commission of the crime in question and after committing the present offence, she alongwith co-accused Ankur Malik had eloped, therefore, there is possibility of hampering with the witnesses and tampering with the evidence. Possibility of fleeing away from justice also cannot be ruled out, if the applicant/accused is released on bail at this stage, so, she does not deserve the concession of bail and prayed for dismissal of the present application under consideration.

7. As per the reply filed by the IO, the present applicant/accused has played very active role with main co-accused Ankur Malik. After analysis of the financial records of the present applicant/accused, the portions of the cheated money were transferred to the personal bank account (salary account) of the present applicant/accused from the accounts of Ankur Malik. She also accompanied Ankur Malik on multiple times to purchase gold bars and jewellery with large sum of cash. The present applicant/accused is also seen in the CCTV footage, during the withdrawal process. There is CDR connectivity

between the present applicant/accused and co-accused Ankur Malik.

8. I have given thoughtful consideration to the submissions made by counsel for this applicant/accused and Ld. Additional Public Prosecutor for State and perused the record.

9. Admittedly, in the case in hand, cheating of huge amount to the tune of Rs.17.50 lakhs is alleged to have been committed, after committing forgery. As per the chargesheet, an application was moved in the court of Ld. CJM in another case for withdrawal of cheated amount. However, it came to the notice that the complainant therein had never moved any such application and the signatures on the said application appeared to be forged. The said application was moved by one of the co-accused, namely, Reetika, who is a practicing advocate. It was specifically asked by this court from the IO, as to who had signed the application, however, IO was not sure and he had replied that it was signed either by co-accused Ankur Malik or advocate Reetika.

10. To a specific query, the IO further stated that present applicant/accused has no role, so far as the offence of forgery is concerned. Moreover, the FSL result, regarding the signatures on the said application is still pending. Unless and until, the FSL result is received, it cannot be said as to who had signed the said application, whether it was Ankur Malik or Advocate Reetika.

11. Thus, the offence allegedly committed by the present applicant/accused is only that of cheating. The applicant/accused is in judicial custody since, 22.07.2025 and no previous involvement of the applicant/accused is found on record.

12. Further, it is worth noticing that in the present case, there are five accused persons, out of which, two are already on bail, whereas, one of the co-accused namely, Reetika was not even arrested and she was bound down. The involvement of co-accused Reetika prima facie appears to be not much less than the present applicant/accused, as she was the one who had actually moved that application in the court and as per the IO, the signatures on the application could have been done by co-accused Reetika. Despite that, she was not even arrested by the IO for the reasons best known to him.

13. The Hon'ble High Court of Delhi in case, **Nadeem Chaudhary Vs. State of NCT of Delhi** (Bail Application No. 39/2022) has observed that:

“The object of Jail is to secure the appearance of the accused persons during the trial. The object is neither punitive nor preventive and the deprivation of liberty has been considered as a punishment. The applicant cannot be made to spend the entire period of trial in custody specially when the trial is likely to take considerable time. The presence of the accused can be secured at the time of trial by putting appropriate conditions”.

14. The Hon'ble High Court of Delhi relying upon the case, **Deepak Yadav V. State of U.P.**, (2022) 8 SCC 559 has observed that:

“Moreover, it is settled law that this Court at the stage of granting bail to the applicant is only to look into the (i) the nature and gravity of the offences/charges coupled with the severity of punishment in case of conviction; and (ii) if there is any chances of the accused absconding once out of bail; and (iii) if there is a reasonable apprehension of the accused influencing the witnesses or tampering the records when released on bail; and (iv) the past conduct and previous record of the accused as he should neither be a threat to the society of which he is

going to be a part of once again nor there should be any change of his repeating the same or indulging in any other offence; and (v) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; and (vi) behaviour, means, position and standing of the accused in the society”.

15. The Hon’ble High Court of Delhi in another case, **Raghav Thakur Vs. State** (Bail Application No. 1397/2023) has also observed that:

“The object of keeping a person in custody is to ensure his availability to face the trial and to receive the sentence that may be passed. Apart from the seriousness of the offence, other factors also have to be borne in mind while considering the bail application. Delay in commencement and/or conclusion of trial is also to be taken into account and the accused cannot be kept in custody for indefinite period, if the trial is likely to take long time”.

16. Another argument raised by Ld. Counsel for the applicant/accused was that no sanction was obtained from the competent authority before prosecuting the present applicant /accused. Although, whether the sanction is actually required or not shall be considered by the Ld. Trial Court at the appropriate stage, but at the stage of bail, this argument cannot be ignored altogether. The consequences of pre-trial detention are grave and keeping an under-trial in custody would necessarily impact his/her right to defend himself/herself during trial.

17. So far as the apprehension regarding intimidation to the witnesses is concerned, appropriate conditions can always be imposed upon applicant/accused in order to allay the apprehension raised by prosecution.

18. Considering the facts and circumstances of the present case and the fact that the only allegation against the present applicant/accused is that of cheating and as per the IO, the investigation is complete and chargesheet has already been filed and it will take some time in completion of the trial, as even FSL result has not been received and the case is still at the stage of arguments on charge and prosecution has cited 30 witnesses. Moreover, considering the fact that two of the co-accused are already on bail and one of the co-accused was not even arrested, the applicant/accused Neha Poonia is ordered to be released on bail on furnishing personal bond in the sum of Rs.50,000/- each with two sureties of like amount to the satisfaction of the Ld. JMFC/Ld. Duty JMFC/ Ld. Link JMFC and also subject to the following conditions:

- (1). She will not come in contact with any of the witnesses of the prosecution.
- (2). She will not tamper with the evidence of the prosecution.
- (3). She will not indulge in any criminal activity of similar nature in future.
- (4). She will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or the IO.

19. In case, if she violates any of the above conditions, the prosecution will be at liberty to file application for cancellation of bail of this accused.

20. In the above said terms, the present application for grant of bail filed on behalf of the applicant/accused Neha Poonia stands **allowed**.

21. Dasti copies of this order be provided to the parties.

22. Attested copy of this order be also sent to the Superintendent of Central Jail concerned for supplying the same to this applicant/accused.

**(PUNEET PAHWA)**  
**Special Judge (NDPS)/Addl. Sessions Judge/  
North East/KKD Courts/Delhi/19.03.2026**