2 Bail Reg. No. 814/2026
STATE GNCTD Vs. BHANU PRATAP SINGH
FIR No. 19/2011
PS: G.T.B. Enclave
U/s: 420/465/468/471/477A/120-B IPC

And

3 Bail Regn. No. 815/2026
STATE GNCTD Vs. BHANU PRATAP SINGH
FIR No. 212/2010
PS: G.T.B. Enclave
U/s: 420/468/471/34 IPC

20.06.2026

ORDER ON APPLICATIONS U/S 483 BNSS (U/s 439 Cr.P.C)

FOR GRANT OF REGULAR BAIL

Present : Sh. Pradeep Kumar, Ld. Addl. PP for the State.
Sh. Varun Kumar Singh alongwith Sh. Sajid Khan, Ld. Counsels for the applicant/ accused.
Complainant Sh. Guru Pratap in person.
IO/SI Arvind in person.

1. TCR has been received.

2. By way of the present common order, this court shall decide the applications moved on behalf of applicant/ accused Bhanu Pratap Singh seeking regular bail in FIR No. 19/2011 and FIR No. 212/2010, since the facts are interconnected in both cases.

3. I have heard learned counsel for the applicant/accused and learned Addl. PP for the State at length and I have gone through the record carefully.

4. Learned counsel for the accused has submitted that the accused was released on police bail and thereafter he did not receive any notice from the investigating officer. It has been

further contended that the wife of the accused is working as a teacher in Delhi and if the accused wanted to abscond he could have shifted to some other place. It has been contended that the accused suffered three heart attacks and was receiving treatment in Delhi only. It has been further contended that the complainant has falsely implicated the accused and it is the complainant who forged the copy of the passport of the accused and misused it. It has been further contended that the police had initially refused to register the F.I.R and further the entire case of the prosecution is improbable. It is highly unlikely that the accused would use children for taking goods/books of the complainant amounting to Rs.8,000/- only.

5. Learned counsel for the applicant/accused has further submitted that the applicant has been falsely implicated in the present case and is completely innocent of the allegations levelled against him. It is argued that the prosecution case is the result of longstanding personal disputes, prior litigations and animosity between the complainant and the applicant and that the present FIR has been lodged merely as a counterblast to the proceedings initiated by the applicant against the complainant and the educational institution run by him.

6. It is further submitted that the applicant and the complainant had known each other for several years and were residents of the same locality. According to the learned counsel, the complainant was fully aware of the identity, place of business and successive residential addresses of the applicant. The applicant had been carrying on his business of an advertisement

agency from a well-known office at Hans Bhawan, Bahadur Shah Zafar Marg, New Delhi and had continuously remained within the jurisdiction of Delhi. Therefore, the allegation that the applicant was deliberately concealing his whereabouts or intentionally avoiding the process of law is wholly incorrect and contrary to the factual position. The applicant has asserted that the process server and the investigating agency failed to effect proper service despite the addresses of the applicant being known and readily ascertainable. It is, therefore, contended that the declaration of the applicant as a proclaimed offender was not on account of any willful default on his part but because of improper service and incorrect reports submitted before the Court.

7. Learned counsel has further argued that the allegations of cheating and forgery are inherently improbable and do not disclose any active role attributable to the applicant. It is submitted that the complainant has alleged use of forged documents and cheques in connection with admission of two children, namely, Parth Thakur and Ifra Malik, in the complainant's school. However, according to the applicant, the admission forms and related documents were submitted by the parents or guardians of the said children and the applicant had no role in preparing, executing or using such documents. It is contended that the applicant neither signed the admission forms nor was he a beneficiary of the alleged transactions. There is no allegation that the applicant received any pecuniary benefit or derived any wrongful gain from the alleged acts, nor has the

complainant suffered any wrongful loss on account of any act attributable to the applicant.

8. It is further submitted that one of the allegations pertains to the alleged use of a cheque belonging to the applicant's wife. Learned counsel has contended that the said cheque had never been issued by the wife of the applicant to the complainant and that the same had been misplaced. According to the applicant, the complainant and his associates have unlawfully utilised the said cheque and subsequently sought to implicate the applicant by creating a false narrative regarding its use. It is argued that even according to the prosecution material, the admissions of the children were undertaken by other individuals and the burden of explaining the circumstances under which the cheque came to be used cannot be shifted upon the applicant merely because the account belonged to his wife.

9. Learned counsel has also submitted that the applicant's sister and brother-in-law had strained relations with the applicant and that any acts allegedly committed by them were entirely beyond the knowledge of the applicant. The applicant has specifically denied having any knowledge regarding the documents allegedly used for admission of the children in the school and has asserted that he has been implicated solely on account of his relationship with certain persons who are stated to be involved in the transactions. It is argued that no material has been placed on record to show any meeting of minds, agreement or concerted action on the part of the applicant so as to attract criminal liability under Section 34 IPC.

10. It has further been submitted that the present criminal proceedings have their genesis in previous litigations and disputes between the parties. Learned counsel has argued that the applicant had initiated complaints before public authorities, including complaints regarding the functioning of the complainant's school, as a result whereof action had been taken against the institution. It is contended that the present FIR has been lodged with an ulterior motive to harass the applicant and to settle personal scores. The applicant has further asserted that he had earlier been granted anticipatory bail and had cooperated with the investigation and that the subsequent cancellation of bail proceedings also occurred in his absence and without proper notice to him.

11. Lastly, learned counsel has submitted that the FIR pertains to the year 2010 and the applicant has remained in judicial custody since 23.04.2026. The investigation in the matter stands completed and the charge-sheet has already been filed. The entire case of the prosecution rests substantially on documentary evidence which is already in possession of the investigating agency and no recovery remains to be effected from the applicant. It is argued that further incarceration of the applicant would serve no useful purpose and would amount to pre-trial punishment. The applicant has deep roots in society, is a permanent resident of Delhi, has a fixed place of abode and business and undertakes to abide by all conditions that may be imposed by the Court. It is accordingly prayed that the applicant be admitted to regular bail.

12. Per contra, learned Addl. PP for the State has vehemently opposed the bail application and submitted that the allegations against the applicant are grave and serious in nature and disclose the commission of offences punishable under Sections 420, 468 and 471 read with Section 34 IPC involving cheating, forgery and use of forged documents as genuine. It is submitted that the allegations pertain to the preparation and use of fabricated documents and cheques in connection with admission of children in an educational institution and the offences alleged strike at the sanctity of public records and transactions based on trust and authenticity of documents.

13. Learned Addl. PP has further argued that the investigation revealed the involvement of the applicant in the conspiracy and that the prosecution case cannot be brushed aside merely on the plea of previous disputes between the parties. According to the prosecution, the plea of false implication and counterblast is a matter of defence, which can be adjudicated only during trial and does not, at this stage, dilute the seriousness of the allegations or entitle the applicant to the extraordinary relief of bail.

14. It is further submitted that the conduct of the applicant disentitles him to the discretionary relief of bail. Learned Addl. PP has contended that despite institution of criminal proceedings and issuance of process by the Court, the applicant failed to appear before the concerned Court and remained unavailable for a considerable period. It is argued that non-bailable warrants had to be issued against him and

proceedings under Sections 82 and 83 Cr.P.C. were also initiated, culminating in his being declared a proclaimed offender. According to the State, the prolonged absence of the applicant from the proceedings demonstrates a deliberate attempt to evade the process of law and raises a genuine apprehension that, if released on bail, he may again abscond and frustrate the course of justice.

15. Learned Addl. PP has further submitted that the explanations furnished by the applicant regarding non-service of summons and want of knowledge of the proceedings are matters requiring evidence and cannot be accepted at their face value at the stage of consideration of bail. The prosecution contends that the plea of improper service is an afterthought devised only to explain the applicant's prolonged absence from the judicial process.

16. It is further argued that the offences alleged involve a concerted and premeditated design and the prosecution proposes to establish the involvement of the applicant by leading documentary as well as oral evidence during trial. The possibility of the applicant influencing witnesses or interfering with the course of trial cannot be ruled out, particularly when the applicant and the complainant are known to each other and have had prior dealings and disputes.

17. Learned Addl. PP has, therefore, submitted that having regard to the gravity and nature of accusations, the conduct of the applicant in remaining absent from the proceedings for a substantial period and the likelihood of his not

cooperating with the trial if enlarged on bail, the applicant does not deserve the concession of bail and the present application is liable to be dismissed.

18. The FIR pertains to the year 2010. Perusal of the record reveals that accused was granted anticipatory bail vide order dated 01.11.2010, which was however cancelled on 23.02.2011. Thereafter the accused was declared proclaimed offender vide order dated 27.04.2012. The accused has been arrested on 23.04.2026. On the last date of hearing medical status of the accused was called from the jail. As per the medical status report filed in the court today which reads as under:

> "*He is currently lodged in Central Jail No.13, Mandoli since 23.04.2026. Old treatment documents received from honorable Court wherein it was mentioned that patient was suffering from diabetes, hypertension, history of heart surgery and chronic kidney disease under evaluation and receiving treatment from G.B. Pant Hospital and Hindu Rao Hospital. All the medications of the prescribed are purchased through prison welfare fund and provided to the inmate.*
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> *Patient has been suffering from multiple health ailments and has taken to the Mandoli Jaill Hospital 09/05/2026 for further management. All the advised medication and insulin started. During admission it was observed that his blood sugar levels and blood pressure level are fluctuating and patient has complaints of frothin in urine. His urine positive for proteins and ketenes and provided treatment accordingly. He was reviewed by the jail medical specialist and psychiatrist and modified treatment accordingly.*
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> *On 27.05.2026 patient had complaints of unilateral heartache, difficulty in chewing and on examination his blood pressure was 150/78 mm of hg, blood sugar was 277 mg/dl and urine ketone were traced and treatment was provided accordingly. His symptoms were not improved*

and his health condition was deteriorating and referred to GTB Hospital on emergency basis for further management and to rule out stroke. The doctors examined and conducted all the relevant tests and sent back to the jail after providing necessary treatment.

On 29/05/2026 he was examined and he is having complaints of swelling in feet, giddiness, breathing difficulty on and off for which he was advised treatment and blood tests, follow up with medical specialist. His random blood sugar is 277 mg/dl and B.P is 138/78 and provided treatment accordingly. On 02/06/2026 he was reviewed by the medical specialist and advised treatment accordingly.

All the reports have been collected and reviewed in the cardiology and Nephrology departments at Rajeev Gandhi Super Specialty Hospital on 16.06.2026. The cardiologist examined and advised for admission for coronary angiogram (heart surgery) whereas patient was denied for the admission and came back to the jail with prescribed medication and advice of 2D Echo. On the same day, the nephrologist examined and prescribed medication and advised Ultrasound, blood pressure and sugar charting, Endocrinologist review.

Currently, patient is on antihypertensive, diabetic medication, insulin and other medication as per requirement and receiving all the medication from the jail hospital and his blood pressure is 173/93 mm of hg, blood sugar-254 mg/dl. The treatment will be provided in the jail by referring to the higher centres, but patient is not willing for the same despite of counseling."

19. I have considered the rival submissions and carefully perused the material placed on record. At the stage of consideration of a bail application, this Court is not expected to conduct a meticulous appreciation of evidence or render findings upon the truthfulness or otherwise of the rival versions, as the same would amount to a pre-trial adjudication of the issues

involved. The Court is only required to examine whether further incarceration of the accused is necessary having regard to the nature of allegations, the stage of proceedings, the requirement of custodial interrogation, the possibility of tampering with evidence or influencing witnesses and the likelihood of the accused fleeing from justice.

20. The allegations against the applicant pertain to offences punishable under Sections 420, 468 and 471 read with Section 34 IPC arising out of the alleged use of forged documents and cheques in connection with admission of certain children in the complainant's school. Undoubtedly, the offences alleged are serious in nature. At the same time, it cannot be overlooked that the allegations substantially rest upon documentary evidence, namely, admission forms, school records, cheques and other connected documents. The genuineness of these documents, the circumstances under which they were prepared and submitted and the precise role attributable to the applicant are all matters which would necessarily require appreciation of oral and documentary evidence during the course of trial. The defence raised by the applicant that the case has been instituted on account of previous enmity and as a counterblast to earlier disputes and litigations between the parties is also a matter which can be adjudicated only after evidence is led by both sides.

21. It is also noteworthy that the FIR in question was registered in the year 2010 and the prosecution has had sufficient time to complete the investigation. The charge-sheet already stands filed and, therefore, the investigation is no longer at a

nascent stage. The entire material which forms the basis of the prosecution case is already in the custody of the investigating agency and no further recovery is stated to be effected from the applicant. Consequently, the necessity of continued custodial interrogation of the applicant does not survive.

22. The State has strongly relied upon the conduct of the applicant in remaining absent from the proceedings and his subsequent declaration as a proclaimed offender. Such conduct is undoubtedly a relevant consideration while examining a prayer for bail. However, it is equally settled that the conduct of an accused, though relevant, cannot be viewed in isolation and must be weighed along with other attendant circumstances. The applicant has taken a specific plea that he was not properly served and that he had shifted his residence from time to time while continuing to remain in Delhi and carrying on his business activities. The correctness of this explanation and the legality of the proceedings undertaken in his absence are matters which cannot be conclusively determined at this stage without evidence. At present, the applicant stands arrested and is in judicial custody. Therefore, the apprehension that he may evade the process of law can be adequately addressed by imposing stringent conditions designed to secure his presence during trial.

23. It is further significant that the offences alleged are not punishable with death or imprisonment for life. The applicant has remained in judicial custody since 23.04.2026. The trial is likely to take considerable time as several witnesses are yet to be examined and the documentary evidence relied upon by the

prosecution would require formal proof in accordance with law. Detention of the applicant for an indefinite period pending trial would amount to punitive incarceration before determination of guilt, which is contrary to the settled principles governing grant of bail.

24. The object of bail is neither punitive nor preventive. The fundamental postulate of criminal jurisprudence is the presumption of innocence until guilt is established in accordance with law. The purpose of detention pending trial is merely to secure the attendance of the accused during the proceedings and to ensure that the administration of justice is not obstructed. Once investigation stands concluded and the evidence is substantially documentary in nature, prolonged incarceration of the accused cannot be justified merely on account of the seriousness of allegations.

25. Having regard to the totality of facts and circumstances, particularly the fact that the FIR is of the year 2010, the investigation stands completed, the charge-sheet has been filed, the prosecution case substantially rests upon documentary evidence already in possession of the investigating agency, no further custodial interrogation of the applicant is required and the concerns of the prosecution can be adequately addressed by imposing stringent conditions, this Court is of the considered opinion that further incarceration of the applicant is not warranted.

26. Accordingly, without expressing any opinion on the merits of the case and subject to appropriate conditions to ensure

his participation in the proceedings and to safeguard the fairness of the trial, this Court is inclined to enlarge the applicant on regular bail.

27. In view of the foregoing discussion and without commenting upon the merits of the case, the present applications are allowed. The applicant/accused Bhanu Pratap Singh is admitted to regular bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the learned Trial Court/Duty Magistrate concerned, subject to the following conditions:

(i) The applicant shall not directly or indirectly make any inducement, threat or promise to the victims or any prosecution witness and shall not, in any manner whatsoever, attempt to influence, intimidate or contact them.

(ii) The applicant shall not visit the house of the victims or their immediate neighbourhood and shall maintain complete distance from the victims and their family members.

(iii) The applicant shall not tamper with the prosecution evidence or hamper the progress of trial in any manner.

(iv) The applicant shall appear before the learned Trial Court on each and every date fixed unless specifically exempted in accordance with law.

(v) The applicant shall furnish his mobile number and residential address to the Investigating Officer and shall keep the same operational at all times. In case of any change in his address or contact details, the same shall be intimated to the Investigating Officer as well as to the learned Trial Court forthwith.

(vi) The applicant shall not leave the National Capital Territory of Delhi without prior permission of the learned Trial Court.

(vii) In case the applicant is found involved in any act of threatening the victims or witnesses, tampering with evidence, or violating any of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail in accordance with law.

28. It is clarified that the observations made hereinabove are only for the purpose of deciding the present bail applications and shall not be construed as an expression on the merits of the case during trial.

29. The bail applications stand disposed of accordingly. TCR be sent back.

Announced in the open Court
on 20.06.2026.

HIMANSHU RAMAN SINGH

Digitally signed by HIMANSHU RAMAN SINGH
Date: 2026.06.20 15:45:48 +0530

(Dr. Himanshu Raman Singh)
Vacation Judge/ ASJ-01,
Shahdara Distict/ KKD Courts/ Delhi.