Bail Appl. No. 674/2026
FIR No. 58/2026
PS Naraina
U/Sec. 318(4)/3(5) BNS
State Vs. Sumanath MG

30.03.2026

Present: Ms. Manisha, Ld. Substitute Addl. PP for the State.
Sh. Rajiv Nanda, Sr. Advocate and Sh. Manish Kumar, Ld. Counsels for applicant.
Ms. Anurag Vashishth, Ld. Counsel for complainant along-with complainant.
IO SI Deepak Chandra, in person.

1. This is second application u/sec. 482 BNSS seeking anticipatory bail moved on behalf of applicant Sumanth MG.

2. In brief, as per reply of IO, the facts of the present case are that the complainant, Colonel Pankaj Singh, alleged that in July 2024, he received a call from Khubashjeet Kaur, Relationship Manager at HDFC Bank Naraina. She informed him that the applicant (Sumanth) along with alleged accused No. 2 (MG Suhana) and their child had visited the branch, impersonating US citizens. They claimed to have been robbed by a taxi driver en-route from IGI Airport and sought financial assistance. On humanitarian grounds, the complainant handed over Rs. 2,50,000/- to them, on the same day. It is further stated that applicant further impersonated himself as an Airbus employee in Houston, Texas, USA, working as a landing gear analyst. He claimed to earn a substantial salary but stated his account was frozen due to tax issues, requesting financial

help with a promise to repay once resolved. Meanwhile, the applicant began visiting the complainant's house, claiming they were new to Delhi. Over approximately eight months, he extracted around Rs. 35 lakhs from the complainant through bank transfers and cash payments. This was given on the assurance of repayment, given his alleged high salary, recent transfer to Delhi Airport from Airbus USA, and troubles with a young child and frozen bank account. Additionally, jewelry worth about Rs. 6 Lakhs was stolen from the complainant's house at E-219 Naraina Vihar by the applicant MG Sumanth, MG Suhana, and Gurmeet Singh in collusion.

3. Ld. Counsel for applicant has raised the following grounds by way of present anticipatory bail application viz :-

a) That complainant has alleged entirely misleading facts to rope the Applicant and his wife for the commission of alleged crime, in order to fulfill his nefarious designs to extort the Applicant.

b) That Applicant was introduced to the complainant in HDFC Bank through a Ms. Khusabjeet Kaur during his stay in Delhi. They bonded closely as he used to spend most of his time with the Applicant or Applicant's family since the complainant was residing alone and was not on good terms with his own family who stays in America. The Applicant used to take care of the food and health of the complainant out of respect as he was of the age of the Applicant's father. Moreover, the Applicant even took care of his commute by providing him with his own driver, Gurmeet Singh with the car so that he never has to struggle in the Public Transports.

c) That Applicant used to take care of all the expenses whether it may be of his food and medicine or to buy him a new phone or accessories etc. for the complainant. With the passage of time, the bond between Applicant and complainant grew stronger and due to Applicant's blind faith in complainant, Applicant used to fulfill all his demands without raising any doubts.

d) That Applicant drew his boundary with the complainant, when he was asked by the complainant to invest or rather fund the construction work in his property as the complainant was planning to reconstruct his property in Nariana, Delhi and subsequently those constructed floors were to be sold.

e) That complainant had at first said that he will give him part of the sale proceeds from the sale of said floors. As the applicant and his wife had been always respectful towards the complainant, therefore, the complainant had an impression that it would be easy for him to persuade the Applicant to invest in his personal project even after retracting from his earlier statement of part of sale proceeds with a vague consideration of returning his investment after 2-3 years of the completion of the said project by allegedly buying land for him in Panipat. The Applicant not being satisfied with such vague explanation and retract of earlier statement of the complainant, which lead the applicant to turn down complainant's request, for the very first time and even the complainant hurl abuses to him due to which the Applicant chose to stay away from him instead of being disrespectful to him however, the complainant had therefore, falsely implicate him with ulterior motive of extorting unlawful gain from him.

f) That Applicant returned along with his wife to Bangalore in January, 2025 and till then, the complainant did not allege anything against the Applicant, his wife and his driver namely Gurmeet Singh.

g) That in the urge to extort unlawful gain from the Applicant, the complainant fabricated a fallacious version for implicating the Applicant, Applicant's Wife (Sahana Sumanth) and the driver, Gurmeet Singh in collusion with police officials namely Deepak, Sub Inspector Naraina Police Station.

h) *That Applicant is a resident of Karnataka and was here in Delhi only for a matter of time due to his job and then returned to his home in Karnataka. When the Police failed to locate the Applicant, they targeted Gurmeet Singh (driver of Applicant) and threatened to arrest him.*

i) *That Applicant got to know about the threats only through Gurmeet Singh and tried to explain his version to the Police Personnel over the phone which shows his bonafide intention to cooperate with the system.*

j) *That Applicant was in utter shock when he came to know about such complaint filed by complainant because he never thought to be made an accused in a fabricated case as he was having good terms with the complainant and he even met complainant on his work trip to Delhi after he left Delhi.*

k) *That applicant has also filed complaint against said advocate Shakti Mann in Bar council of Delhi on 25.07.2025 bearing complaint no.238/2025.*

l) *That the matter is purely civil in nature for which no criminal proceeding may be initiated against the Applicant rather the Police has also submitted before the Ld. Magistrate that issue pertains to civil in nature with the finding that the initial payment was out of goodwill and that ingredients of cheating are not made out.*

m) *That Applicant has been sent notice for appearance on 16.03.2026 under section 35 BNSS to Applicant/Petitioner and his wife to join investigation on 23.03.2026 however, as the Petitioner/applicant's wife got her back pain got enhanced on 20.03.2026 owing to which the petitioner/applicant took her to seek treatment immediately.*

4. Arguments heard. Record carefully perused.

5. Anticipatory bail applications are not to be allowed, mechanically. Such reliefs have to be granted sparingly. Relevance of custodial interrogation in completing investigation among other aspects, are material considerations for deciding such like applications. Right to liberty has to be balanced with right of the State, seeking custody. Reliance in this regard is placed upon the case law ***Gurbaksh Singh Sibbia and Others vs State of Punjab (1980) 2 SCC 565***,

6. Keeping in mind above-mentioned understanding of law, I am proceeding further.

7. Reverting back to facts of present case, I find that applicant had filed anticipatory bail application bearing no. 851/2025, in which interim relief was granted to him, as per order dated 06.06.2025. That order was extended on 23.06.2025. Subsequently, on 23.07.2025. Said interim relief and anticipatory bail, in total, was dismissed.

8. Ld. Counsel for complainant has submitted that last amount, which was given by complainant to applicant, was in December 2024.

9. Alongwith application, applicant has filed photographs, showing applicant and his family with complainant. There are photographs of wife of applicant with complainant, also.

10. Further, complainant has today orally replied that he had given amount, Rs. 35 Lacs, in total to applicant, as applicant had claimed that he was in need of said money. He has further submitted that applicant had told him that applicant was working in Airbus.

11. When complainant is asked by this court, as to why he had given same money to applicant, he replied, that since applicant was in need of money, so he had given it to applicant. Further, complainant has submitted that he had family relations with applicant, which had developed over a period of time.

12. Complainant has further submit that applicant had received said money from him, in good faith. He has further submitted that there was no terms and conditions, based on which said money was given by him to applicant. Further, applicant only assured that he will return back the money but has not done till date.

13. Alongwith application, there are WhatsApp chats filed by applicant. Ld. Counsel for applicant has submitted that said chats reflect communication of his previous advocate Mr. Shaktiman with SI Deepak.

14. IO has filed reply, opposing the application by submitting that applicant has not joined investigation since the date of initial complaint i.e. 02.05.2025, that applicant has cheated complainant under a pre-planned conspiracy.

15. Above mentioned facts, clearly indicate that acquaintance of complainant with applicant, continued for months together. Complainant has not given any justified, reasonable, probable and believable reply as to why he kept on giving amounts to applicant, who was a total stranger for him. The argument that applicant cheated him, is something, which can be tested and appreciated during course of trial. At this stage, as such, custodial interrogation of applicant, is not required.

16. Claim of IO that applicant has not joined investigation, despite being served through Notice, again does not help the cause of IO. Reason being, that once applicant has not joined investigation, coercive processes should have been asked from the concerned court. Same was not done. To add to that, I find that IO has replied that co-accused Khubash Jeet Kaur, has joined investigation. If that is so, then so co-accused who is the first person, who had contacted complainant, is not arrested by IO. It means that as per the understanding of the IO, custodial interrogation of said co-accused is not required. Case of applicant, cannot be seen with different prism. Applicant is allegedly part of criminal conspiracy. If other co-accused is not arrested, though role in the alleged criminal conspiracy, is more or less similar to that of applicant, then applicant cannot be directed to be imprisoned, for the purpose of completing investigation.

17. The stand of police, prior to registration of FIR in question, based on order passed by Ld. Court u/sec. 156(3) CrPC (u/sec. 174 BNSS), as per submissions of Ld. Counsel for applicant, was that it is a case of civil dispute. That submission is not countered by IO. So, it is a material fact which is borne in mind by this court, while passing this order, which favours applicant.

18. **In these circumstances, considering aforesaid facts and circumstances, anticipatory bail is granted to applicant Sumanth MG.** In the event of his arrest, applicant be released on bail subject to furnishing of personal bond/ surety bond in the sum of Rs.1,00,000/- each subject to the satisfaction of concerned IO/ SHO/ Arresting Officer.

Further, this order entails following conditions :-

a) Applicant shall not leave the Country without informing IO/ SHO concerned in writing, giving details of place he is going and the time for the same.

b) Applicant shall keep his mobile phone in switch on mode, all the time by furnishing its details to the IO concerned, in writing within three days from now.

c) In case, he changes mobile number, then he will inform IO concerned in writing, within one day of said change.

d) **Applicant shall cooperate and join the investigation as and when directed by the IO.**

Order Dasti.

PRASHANT SHARMA

Digitally signed by PRASHANT SHARMA
Date: 2026.03.30 15:10:23 +0530

[Prashant Sharma]
ASJ-03, New Delhi District
Patiala House Courts
30.03.2026