

IN THE COURT OF ASJ (FTC)-02
SOUTH SAKET COURTS, NEW DELHI

PRESIDED BY : MS. SHUNALI GUPTA

Bail Application No. 1522/2026 (Bail Roster)
STATE Vs. ABHINAV SINGAL (TRANSIT BAIL)

Bail Application No. 1523/2026
STATE Vs. ARUN SINGAL (TRANSIT BAIL)

FIR No. 272/2026
PS Hauz Khas

In view of the Office Order No. Judl./F.102/South/Saket/2026/27944-27970/New Delhi dated 29.06.2026 of Ld. Principal District & Sessions Judge, South District, Saket Courts Complex, New Delhi, bail application is being taken up by the undersigned.

28.07.2026

Present: Sh. Nischal Singh, Ld. Subst. Addl. PP for the State.
Sh. Abhimanyu Tiwari and Sh. Sidhant Awasthi, Ld. Counsels for applicant/accused.
Aaditya Mishra, SP Balaghat alongwith Sh. Kapil Daheriya, Asst. Director Prosecution, Balaghat (through VC).

1. These are two transit anticipatory bail applications filed in respect of FIR No. 272/2026 dated 05.06.2026 registered at PS Waraseoni, Balaghat, Madhya Pradesh u/s 316(3)/3(5) with Sections 336(3), 338 & 430(2) BNS (added later on) filed by applicants namely Abhinav Singal & Arun Singal.

2. It is stated in the applications that the applicants had earlier filed transit anticipatory bail applications on 23.06.2026 before the Ld. Vacation Judge, South East which were later on withdrawn on 20.07.2026 due to jurisdictional errors as the place of residence of the applicants i.e. A-35, Gulmohar Park, Andrews Ganj, South Delhi falls within the jurisdiction of PS Hauz Khas whereas the earlier bail applications were filed showing jurisdiction of PS Defence Colony.

3. It is stated that the applicant Abhinav Singal is the Managing Director of AVJ Agrico Pvt. Ltd – a company engaged in the production of ethanol. The above mentioned FIR was registered at PS Waraseoni, Balaghat MP alleging pilferage of rice which is used to make ethanol. The FIR explicitly names only three individuals namely Durgesh, Rahul Pratap and Sorabh Sancheti. The applicant in the capacity of a Managing Director is absolutely innocent and is not involved in day-to-day logical movements of trucks and was completely unaware of any such illicit activities being carried out by those three persons. Further, the applicant Arun Singal is suffering from various ailments and is medically unfit to travel. It is stated that the arbitrariness on part of the Police of Madhya Pradesh can be seen from the fact that despite being summoned on multiple occasions by the Court of Ld. ASJ, they chose not to appear nor filed any reply. Further without serving notice of any kind upon the applicants, the

provisions for maximum punishment which is more than 10 years have been added to the FIR. It is stated that the applicant Arun Singal has been advised medical rest by the doctor from 18.06.2026 to 27.06.2026. The company has consistently co-operated with the police in the investigation. During hearing of the transit anticipatory bail applications, it was informed by the police officials of PS Defence Colony that the residence of the applicants fall within the jurisdiction of PS Hauz Khas.

4. It is thus submitted that the applicants have deep roots in the society and are willing to join the investigation. Considering the medical condition of the applicant Arun Singal and requirement of his son Abhinav Singal to look after him all the times, they have not been able to approach the competent court in Balaghat Madhya Pradesh to seek appropriate legal remedy. It has been prayed that the applicants be granted transit anticipatory bail with respect to the FIR No. 272/2026 registered at PS Waraseoni, Balaghat Madhya Pradesh for a limited period to allow the applicants to approach the competent jurisdictional court in Madhya Pradesh. Reliance is placed upon the following judgments:-

- (i) Priya Indoria Vs. State of Karnataka (2024) 4 SCC 749
- (ii) Shankar Vs. Govt (NCT of Delhi), Bail order passed by Hon'ble High Court of Delhi in bail application no.

2406/2025

(iii) Captain Satish Kumar Sharma Vs. Delhi Administration & Ors. (1990) ILR 2 Delhi 203.

5. Notice of the applications were directed to be issued to SSP as well as to Public Prosecutor at PS Waraseoni. Pursuant to the notice SP Balaghat - Aaditya Mishra alongwith Sh. Kapil Daheriya, Asst. Director Prosecution, Balaghat have appeared through VC and made exhaustive submissions. Reply has also been sent to the court through whatsapp and email – print out whereof has been obtained.

6. Detailed and exhaustive reply has been filed by Asst. Director Prosecution Balaghat. It is stated as under:

(i) FIR No. 272/2026 dated 05.06.2026 was registered at P.S. Waraseoni, District Balaghat, Madhya Pradesh, and named certain individuals at the time of registration. Further investigation into the entire supply chain of government rice released for the Applicant's ethanol plant has since been carried out, and it is on the basis of documents and records produced from, and seized in relation to, the Applicant's own company which disclosed commission of forgery and fabrication - that Sections 336(3), 338 and 430(2) BNS came to be added thus a direct consequence of material emerging from the applicant's own company's records, and not an arbitrary act.

(ii) the Applicant had earlier filed Transit Anticipatory Bail Applications bearing Nos. BA/1844/2026-and BA/1864/2026-before the Ld. Sessions Judge, South East District, Saket Courts, on 23.06.2026 and 27.6.26 respectively. projecting the jurisdiction of P.S. Defence Colony on the basis of his stated residence, and co-applicant Mr Arun Singhal has obtained interim protection thereunder for nearly a month, It was only after a report dated 17.07.2026 that the police confirmed that the Applicant's residence in fact fell within the jurisdiction of P.S. Hauz Khas, and that the Applicant was constrained to withdraw those applications on 20.07.2026. Rather than thereafter approaching the court with actual jurisdiction, the Applicant filed the present application within twenty-four hours before this court. From the filing of the first application on 23.6.26 to 20.7.26, the applicant's father and co-applicant, Mr Arun Singhal, had sufficient time to have applied for anticipatory bail. because of the interim protection that was given to him, which he didn't file. This sequence, spanning nearly a month of interim protection obtained on a previous order in Transit Anticipatory Bail Applications bearing. Nos. 11A/1844/2026, followed immediately by a fresh application, is most humbly submitted as a deliberate exercise of delaying the investigation against which the **Hon'ble Supreme Court** has warned in the case of **Priya Indoria v. State of Karnataka, (2024) 4 SCC 749 (Para 40)**.

(iii) It is submitted that the offence in the present case occurred within the jurisdiction of P.S. Waraseoni, District Balaghat, Madhya Pradesh, and that the Applicant's place of work, namely the ethanol plant of which he is owner and Managing Director, is situated in Tehsil Sausar, District Chhindwara, Madhya Pradesh neither of which bears any territorial connection to Delhi. Reliance is placed on the judgment of the Hon'ble Supreme Court in *Priya Indoria v. State of Karnataka*, (2024) 4 SCC 749 (Para 40), where it was held that while an accused may choose a court of convenience, the court before which an application for anticipatory bail is filed must find a territorial connection or proximity with the accused through residence, work, or profession, failing which the concept of territorial jurisdiction would be rendered meaningless, and an accused cannot travel to another State for the sole purpose of obtaining anticipatory bail. It is submitted that the present case falls squarely within this description, and the application deserves dismissal on this ground alone.

(iv) It is submitted that the material gathered during the investigation, including records and an authority letter executed by the Applicant himself in his capacity as an authorised signatory of the company, directly connects him with the coordination and control of such deliveries, contradicting his

claimed ignorance.

(v) In so far as ground that has been pleaded in the applications. It is submitted that the applicant Abhinav Singhal himself is not stated to be unwell in any manner; the ailment pleaded is that of his father, Mr. Arun Singal. It is further submitted that the Applicant has not maintained a consistent stand even in explaining his own non-appearance: it is submitted that the Applicant had initially represented that he was outside India, and it was only subsequently, when called upon to explain his continued absence, that the ground of his father's medical condition came to be raised for the first time a shifting stand that itself casts doubt on the bona fides of the ground now projected. Even taking the medical certificate at face value, it covers only the period 18.06.2026 to 27.06.2026; the Applicant has offered no explanation for his conduct in the more than one month that has elapsed since expiry of that certificate, during which period he had ample opportunity, in his own right and independent of any attendance required of his father, to appear before the Investigating Officer, but chose not to do so.

(vi) Despite a written notice dated 17.06.2026 and a further dasti notice dated 15.07.2026, the Applicant has, as on date, failed to appear before the Investigating Officer for well over a month, for the reasons already addressed above. It is

further submitted that this is not an isolated instance: other persons holding managerial and authorised positions in the Applicant's company, including one Rajeev Bhandari, have similarly failed to cooperate with the investigation despite multiple notices, and their applications for anticipatory bail have already come to be rejected by the competent court(s). The pattern of non-appearance extending across the company's management, taken together with the rejection of similar applications by co-accused persons, demonstrates a coordinated attempt to stall the investigation rather than any genuine difficulty in appearing.

(vii) The material gathered during investigation prima facie shows an organised diversion of government-subsidised rice, causing loss to the State exchequer and undue enrichment to the Applicant and persons connected with him, carried out by persons operating across more than one State. The Applicant, by virtue of his position, resources and reach, is capable of influencing witnesses connected with warehousing and transport who remain to be examined, and of causing records under verification to be tampered with, if granted protection from arrest.

7. During the course of submissions, SP District Balaghat, MP has submitted that the offence committed by the

applicants is not a minor offence but a crime of a much higher magnitude defrauding the State of a sum of almost Rs. 40 crore. The Government allocated subsidised rice for production of ethanol was illegally diverted and sold in the open market to private rice mills. Thus, instead of using the subsidised rice for the said purpose, the same was sent to rice companies for processing, polishing etc. and then re-sell the same at a very high price. It was not just one truck which was apprehended as falsely projected by the applicants. However, it were a large number of trucks engaged in this conspiracy. An organised crime of a high magnitude involving many officials was being carried out. Due to this organised diversion of government subsidised rice, huge loss has been caused to State Exchequer. Further despite numerous notices neither of the officials of the company nor the Directors have joined the investigation.

8. Heard. Perused the FIR, the reply and the previous orders passed by Ld. Vacation Judge and Ld. ASJ(South East) which are annexed with the file.

9. At the outset, I may note that the residential address of the applicants which is A-35, Gulmohar Park, Andrews Ganj, South Delhi falls within the jurisdiction of PS Hauz Khas (District South). However, the applicants by stating the said address to be falling under jurisdiction of PS Defence Colony

(District South East) filed the transit anticipatory bail applications before the Ld. Vacation Judge (South East District). **Thus by misrepresenting the jurisdictional facts, the applicant Arun Singal obtained an interim anticipatory bail from the court of Ld. Vacation Judge on the very first date i.e. vide order dated 24.06.2026.** The order remained in operation till 20.07.2026 i.e. till the date when the application was withdrawn from the court of Ld. ASJ (South East District) (hearing the roster bail applications) as this fact was brought to the notice of Ld. ASJ by SHO PS Defence Colony. Immediately upon withdrawn of the said bail applications, the present applications were filed in South District.

10. Dehors the aforesaid, though there was an interim anticipatory bail order in favour of the applicants from 24.06.2026 to 20.07.2026 still they did not approach the court of competent jurisdiction at Balaghat MP to seek relief of anticipatory bail.

11. The applicants have relied upon the judgment of **Hon'ble Supreme Court** in the case of **Priya Indoria (*Supra*)**. However, the said judgment states that the power to grant extra territorial anticipatory bail should be exercised in exceptional and compelling circumstances. The court can grant interim protection but for a fixed period and direct the applicant to make an

application before the court of competent jurisdiction. Relevant extract from the said judgment is reproduced herein as under :

"The applicant for anticipatory bail must satisfy the Court regarding his inability to seek anticipatory bail from the Court that has the territorial jurisdiction to take cognisance of the offence. The grounds raised by the applicant may be (a) a reasonable and immediate threat to life, personal liberty and bodily harm in the jurisdiction where the FIR is registered; (b) the apprehension of violation of right to liberty or impediments owing to arbitrariness; (c.) the medical status/ disability of the person seeking extra-territorial limited anticipatory bail. It would be impossible to fully account for all exigent circumstances in which an order of extra-territorial anticipatory bail may be imminently essential to safeguard the fundamental rights of the applicant. We reiterate that such power to grant extra-territorial anticipatory bail should be exercised in exceptional and compelling circumstances only which means where, denying transit anticipatory bail or interim protection to enable the applicant to make an application under Section 438 of CrPC before a Court of competent jurisdiction would cause irremediable and irreversible prejudice to the applicant. The Court, while considering such an application for extra-territorial anticipatory bail, may, in case it deems fit, grant interim protection for a fixed period and direct the applicant to make an application before a Court of competent jurisdiction."

Thus, despite there being an order of interim anticipatory bail operating in favour of the applicants, they chose not to approach the competent court to seek appropriate relief but instead filed the instant applications before this court to again seek the relief of transit anticipatory bail. Needless to reiterate, the applicants' company is in District Chhindwara, Madhya Pradesh and they could have approached the competent court at Madhya Pradesh. **Hon'ble Supreme Court** in the judgment of **Priya Indoria (*Supra*)** has also deprecated the practice of an

accused travelling to another State for the sole purpose of obtaining anticipatory bail.

12. Even on merits, the allegations levelled against the applicants in the FIR and the Sections added later on the basis of investigation done disclose commission of serious offence which smacks of an organised offence done in criminal conspiracy.

13. Thus, considering the totality of facts and circumstances, no ground is made out for grant of transit anticipatory bail to the applicants Arun Singal and Abhinav Singal.

14. **Accordingly transit anticipatory bail applications filed by applicants namely Abhinav Singal and Arun Singal stand dismissed.**

Copy of this order be given Dasti.

(SHUNALI GUPTA)
ASJ(FTC)-02, South,
Saket Courts/Delhi/28.07.2026