IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.   /2026
[@ SPECIAL LEAVE PETITION (CRL.) No.6040/2026]

RAM SINGH **APPELLANT(S)**

VERSUS

STATE (GOVT. OF NCT OF DELHI) & ANR. **RESPONDENT(S)**

O R D E R

1. **IA No.186517/2026 seeking impleadment of complainant as respondent is allowed. Cause title be amended accordingly.**

2. **Leave granted.**

3. **Heard learned counsel for the parties.**

4. **This appeal arises from an order of the High Court[1] dated 24.03.2026 whereby the anticipatory bail prayer of the appellant in connection with FIR No.322/2025 at P.S. Crime Branch, Delhi under Sections 318(4)/336(3)/338/340(2)/61(2)/3(5) of the Bhartiya Nyaya Sanhita 2023 was rejected.**

5. **The first information report concerned implicates (i)**

1[1] High Court of Delhi at New Delhi

M/s MG Leasing & Finance; (ii) Mr. Mohit Gogia; (iii) Mrs. Shweta Gogia and; (iv) Mr. Bharat Chhabra. The allegations, *inter alia,* are in respect of cheating the complainant of his money by assuring transfer of properties purchased in an auction under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2000 (for short, SARFAESI act) at reasonable rates. The allegations are also to the effect that the accused had set up false documents to cheat the complainant. However, the FIR neither implicates the appellant nor discloses the role of the appellant in any of the dealings with the complainant.

6. **During investigation when it was discovered that the accused in the aforesaid FIR had financial transactions with the appellant, investigation got directed towards the appellant. At this stage, the appellant applied for anticipatory bail which came to be rejected by the impugned order.**

7. **Aggrieved therewith, the appellant preferred this appeal. On 07.04.2026, after considering the submissions made on behalf of the appellant, a detailed interim order was passed which is reproduced herein below:**

"1. The petitioner had applied to the High Court for anticipatory bail, which has been rejected by the impugned order. The case of the petitioner is that the first information report (FIR) was lodged by one Babita Mittal implicating M/s MG Leasing & Finance; Mr. Mohit Gogia; Ms. Shweta Gogia; and Mr. Bharat Chhabra, inter alia, alleging that they cheated her of her money by assuring transfer of properties subject to proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) at reasonable rate. It is submitted that in the FIR, specific allegation is in respect of transfer of Rs.12,04,00,000/- (Rupees Twelve Crores Four Lakhs) between August 2024 to October 2024 through RTGS as well as demand drafts into the account of M/s.MG Leasing & Finance operated by Mr. Mohit Gogia and Ms. Sweta Gogia. The argument on behalf of the petitioner is that there is no mention of petitioner's name in FIR nor there is any disclosure that petitioner had induced informant to transfer funds to the named accused. However, later, during the course of investigation, it appears, the named accused, who were arrested, have given a statement of putting those funds with the petitioner. It is the case of the petitioner that he is in business and there is no legal embargo on him to receive funds and use those funds in business. Besides, he is ready to cooperate in the investigation and place all documents to show his bona fides.

2. It is also submitted on behalf of petitioner that a notice was served

upon him to put in appearance before the Investigating Officer of this case. In response to which, petitioner had submitted that he has threat to his life as some extortion calls were made to him and his family and, therefore, protection may be accorded to him. However, in the meantime a notice was pasted at a place where the petitioner was not residing to get a proclamation that petitioner was absconding and not cooperating in the investigation. Moreover, the accounts of the petitioner were seized and his office raided. In that context, he applied for anticipatory bail, by making a statement that he is prepared to cooperate in the investigation. It is submitted that considering the nature of the allegations and the threat which he has received from a known gangster, it is in the fitness of things that he may be accorded protection.

3. Per Contra, on behalf of the State /respondent, it is submitted that in the proceedings before the High Court various documents were produced to indicate that money had been withdrawn from the account maintained by the principal accused and transferred/ deposited in part to the account of the petitioner. The details of those money transfers have been brought on record at page 351 of the paper book which indicate that there had been transfer of funds into the account of the petitioner between March 2023 up to May 2025.

4. The case of the petitioner is that he is in regular business and transfer of funds and credit to the account of petitioner’s firm per se

> is not an unlawful Act. Moreover, petitioner is willing to cooperate in the investigation.
>
> 5. Having noticed the rival contentions, we are of the view that the matter requires consideration.
>
> 6. Let notice be issued to the respondents, returnable in four weeks. 7. In the meantime, the petitioner shall cooperate in the investigation and respond to the calls of the Investigating Officer in that regard. To ensure that the petitioner cooperates in the investigation, we deem it appropriate to fix a date for his appearance before the investigating officer. Accordingly, it is provided that the petitioner shall appear before the Investigating Officer, namely, Office of Assistant Commissioner of Police, Crime Branch, Chanakyapuri, New Delhi on 10.04.2026 at 11.00 a.m. It is expected that the petitioner shall provide all the relevant information sought by the Investigating Agency.
>
> 8. Subject to above, the petitioner shall not be arrested in connection with FIR No.0322/2025 at P.S. Crime Branch, Delhi”

8. The aforesaid interim order has been extended from time to time though the Court was informed that on few dates the appellant could not cooperate in the investigation as he was implicated in a case of money laundering. According to the appellant during this period, he had applied for anticipatory and was

awaiting its outcome. Since the appellant had been pursuing grant of anticipatory bail in the money laundering matter, the matter was adjourned and the interim protection was extended.

9. **However, the appellant's prayer for anticipatory bail in the money laundering matter came to be dismissed by the High Court and thereafter the special leave petition preferred against the rejection order of the High Court has also been dismissed.**

10. **The submission on behalf of the appellant is that dismissal of the anticipatory bail prayer in the money laundering matter would not come in the way of the appellant seeking anticipatory bail in these proceedings as this case would have to be considered on its own merits.**

11. **In *Dhanraj Aswani v. Amar S. Mulchandani and Another, (2024) 10 SCC 336*, the issue before this Court was whether a person in jail in connection with one case could seek anticipatory bail in another case. Answering the question in the affirmative, a three Judge Bench of this Court held that no restriction can be read into Section 438 of CrPC precluding accused from applying for anticipatory bail in relation to an offence, while in custody in different offence. It was**

held that an accused is entitled to seek anticipatory bail so long he is not arrested in connection with that offence.

12. In the light of the aforesaid decision, we are of the view that rejection of appellant's bail in money laundering matter would not affect his right to seek for anticipatory bail in the present matter where he has not been arrested thus far.

13. Accordingly, we have proceeded to hear the learned counsel for the parties to consider whether the appellant is entitled for anticipatory bail in the present case.

14. Learned counsel for the appellant submitted that in the present case a chargesheet has been submitted against the accused who were named in the FIR. The chargesheet, which is on record, indicates that investigation is pending against the appellant only because there have been money transactions between the main accused and the appellant.

15. It is contended on behalf of the appellant that the money transactions between the appellant and the accused were since much prior to the commission of alleged offences which are subject matter of present

FIR. Besides those transactions are lawful of which explanation can be provided by the appellant, therefore, there is no requirement for a custodial interrogation in the present case. It is also the case of the appellant that nothing incriminating had been recovered from the possession of the appellant, despite there being a raid on his house. In such circumstances, it has been submitted that the appellant is entitled for confirmation of the interim protection granted earlier.

16. *Per contra*, on behalf of the respondents, it has been submitted that the investigation thus far has revealed that when the raid was conducted at the premises of the appellant, the appellant had escaped with a bag full of documents, and that bag was ultimately recovered from one Harsh. Those documents reveal that various e-stamps have been purchased in the name of the appellant for dealing in property. Besides there is recovery of a photocopy of document relating to the property which is subject matter of the present FIR. In those circumstances, it has been submitted that once it is proved that the appellant was transacting with the accused, and documents recovered indicate the involvement of the appellant, and investigation may

provide link to transactions relating to properties which are non-existent, custodial interrogation is warranted.

17. In response to the above submission, the learned counsel for the appellant submits that insofar as the recovery of that bag from Harsh is concerned, documents found therein are not *ex facie* incriminating. Moreover, if those were the documents for which the investigating agency carried out raid, they have already achieved what they wanted to achieve. It is further contended that purchase of E-stamps by itself is not an offence as it would not amount to creating a fabricated document. Besides, there is no material to disclose that those documents have any connection with the crime reported in the subject FIR. In such circumstances, it has been prayed that the interim protection granted earlier be confirmed.

18. We have considered the rival submissions and have gone through the papers brought on record. At this stage, we are not supposed to deal with various documents placed before us to record our opinion on the merits of the case, as it would prejudice not only the investigation, but also the trial which may ensue. In

such circumstances, what we would have to consider is whether in the subject FIR, custodial interrogation of the appellant is required or not.

19. In that context, what weighs with us is the fact that the appellant had been in business transactions with the accused since much before lodging of the subject FIR. Besides, the documents recovered from Harsh do not *prima facie* disclose a connection with the crime reported in the subject FIR. Though, however, there is one document, marked 'D-9E', which relates to photocopy of certain documents connecting Jaskaran Singh and Mohit Gogia in connection with auction of Flat bearing No.220, 20^{th} Floor, Tower DLF Camallias, DLG Golf Course, Sector 42, Gurgaon – 53. However, it is not clear as to what is its significance as also whether it bears signature of either the appellant or any of his close associates. In such circumstances, in our view, if the appellant co-operates in investigation the purpose would be served. Therefore, in our view, having regard to the nature of allegations in the FIR of the present case, the interim protection granted earlier deserves to be confirmed subject to the condition that the appellant shall cooperate in the investigation and shall submit

himself for interrogation as and when required by the investigating agency. Besides, the appellant would have to submit his specimen writing/signatures for the purposes of comparison of his writing from any of the disputed documents, if the investigating agency so requires.

20. **In conclusion, we deem it appropriate to dispose of this appeal by making the interim protection order absolute subject to the following conditions:**

- **(i)** **The appellant shall appear before the Investigating Officer of the subject FIR on 25.09.2026 at the office of Assistant Commissioner of Police, Inter-State Cell, Crime Branch, Chanakyapuri between 11.00 A.M. and 12.00 Noon;**
- **(ii)** **Thereafter, the appellant shall cooperate with the investigation as per the requirement of the Investigating Agency;**
- **(iii)** **Within three weeks from today the appellant shall furnish bail bonds to the satisfaction of the Trial Court concerned along with an undertaking that he shall not threaten any witness or tamper the**

evidence; and

(iv) The appellant shall not leave the country without permission of the Trial Court.

21. In addition to above, the earlier order dated 21.07.2026 requiring the appellant to surrender his passport before the Registry of this Court shall continue subject to the modification that the Registry of this Court which has received the Passport shall transmit the Passport to the Trial Court concerned.

22. Pending application(s), if any, shall also stand disposed of.

………………………………………………J
[MANOJ MISRA]

………………………………………………J
[VIJAY BISHNOI]

NEW DELHI
SEPTEMBER 15, 2026

ITEM NO.2 COURT NO.8 SECTION II-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO.6040/2026

[Arising out of impugned final judgment and order dated 24-03-2026 in BA No. 817/2026 passed by the High Court of Delhi at New Delhi]

RAM SINGH Petitioner(s)

VERSUS

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondent(s)

IA No. 182982/2026 - APPLICATION FOR VACATION OF INTERIM ORDER, IA No. 103236/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 151961/2026 - EXEMPTION FROM FILING O.T., IA No. 186517/2026 - INTERVENTION/IMPLEADMENT IA No. 103238/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 158977/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 15-09-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :Mr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Anoop Prakash Awasthi, AOR
Mr. Abhinav Sharma, Adv.
Mr. Mahender Shukla, Adv.
Mr. Siddharth, Adv.
Mr. Shubham Dubey, Adv.
Mr. Rushikanta Dash, Adv.
Ms. Jasleen Kaur, Adv.

For Respondent(s) :Mr. Siddharth Aggarwal, Sr. Adv.
Mr. Rajeev Aggarwal, Adv.
Mr. Ankit Gupta, Adv.

Ms. Supriya Juneja, AOR
Mr. Mayank Kamra, Adv.
Mr. Vishwajeet Bhati, Adv.
Ms. Parul Shukla, Adv.

Mr. Davinder Pal Singh, A.S.G.
Ms. Shreya Dutt, Adv.
Dr. N. Visakamurthy, AOR
Ms. Nikita Sethi, Adv.
Ms. Priyanka Tyagi, Adv.
Mr. Khushal Kolwar, Adv.
Mr. Padmesh Mishra, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. IA No.186517/2026 seeking impleadment of complainant as respondent is allowed. Cause title be amended accordingly.

2. Leave granted.

3. The appeal stands disposed of in terms of the signed order which is placed on the file.

4. Pending application(s), if any, shall stand disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)