



2026:DHC:2768



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 02.04.2026+ **BAIL APPLN. 1961/2025**

RAGHUNATH SAHA

.....Petitioner

Through: Mr. Anil Dagar and Mr. Ujjwal
Dahiya, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Mohit.
Mr. R.K. Padhi, Advocate for
complainant.+ **BAIL APPLN. 2278/2025 & CRL.M.A. 18167/2025**

BONI SAHA

.....Petitioner

Through: Mr. Anil Dagar and Mr. Ujjwal
Dahiya, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
with SI Mohit.
Mr. R.K. Padhi, Advocate for
complainant.**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicants seek anticipatory bail in case FIR No. 122/2023 of Police Station Begumpur for offence under Section



420/468/471/34 IPC.

1.1 These anticipatory bail applications came up for the first hearing on 21.05.2025 and 01.07.2025 before the predecessor bench and thereafter continued getting adjourned before different benches. By way of order dated 01.07.2025, the predecessor bench granted interim protection to the accused/applicant Boni Saha from arrest, which order continued on date to date basis before different benches. The accused/applicant Raghunath Saha was not granted any interim protection but the applications continued to be taken up together by different benches and a common order was being passed extending the interim protection. Along with 179 such old pending bail applications, these applications also were transferred to this bench.

1.2 Today is the first effective hearing before me. I have heard learned counsel for accused/applicants and learned APP for State assisted by IO/SI Mohit. I have also heard learned counsel for complainant *de facto* .

2. Broadly speaking, the prosecution case is that the main accused Gopal Saha cheated the complainant *de facto* by collecting approximately Rs.41,00,000/- on the assurance to get him a job and visa in Canada, but despite collecting money, the accused Gopal Saha did not fulfil his promise. The role ascribed to the present accused/applicants is that the accused/applicant Raghunath Saha is brother-in-law of Gopal Saha and the accused/applicant Boni Saha is daughter of Raghunath Saha. According to prosecution, the main accused Gopal Saha misrepresented before the complainant *de facto* that Raghunath Saha is an influential person with links



in Canadian High Commission, where accused Boni Saha is employed.

3. Learned counsel for accused/applicants submits that at the time of the alleged offence, Boni Saha was aged hardly 17 years and it cannot be believed that she was employed in the Canadian High Commission. It is submitted by learned counsel that the present accused/applicants have been roped in only to put pressure on Gopal Saha to return the money. Learned counsel for accused/applicants also contends that not a single penny was received by either of them, so it is not believable that they would have joined in the offence. It is also submitted by learned counsel for accused/applicants that main accused Gopal Saha, who allegedly cheated the complainant *de facto* has already been granted bail by the trial court.

4. Learned APP for State on instructions of the IO strongly opposes the bail application, submitting that the present accused/applicants remained silent when Gopal Saha introduced the complainant *de facto* with them, representing them as influential persons. Further, it is submitted by learned APP that in the course of subsequent investigation, few more victims of the frauds committed by accused Gopal Saha came up and one of those victims even deposited money in the bank account of the accused/applicant Raghunath Saha.

5. Learned counsel for complainant *de facto* alleged that the IO is not investigating the case properly and the complainant *de facto* intends to file an application for cancellation of bail granted to Gopal Saha. Learned counsel for complainant *de facto* reiterated that at least one of the victims



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has been traced out in investigation, who paid money to the accused/applicant Raghunath Saha as well, so these anticipatory bail applications are liable to be dismissed.

6. It would be significant to note that according to entire case set up by prosecution, it is Gopal Saha who induced the complainant *de facto* as well as the subsequently revealed victims to pay money for being sent to Canada for job. It would also be significant to note that the accused/applicants are close relatives of Gopal Saha, being his brother-in-law and niece, and that being so, submission of the accused/applicants cannot be brushed aside that they have been roped in only to armtwist the main accused Gopal Saha.

7. So far as the evidence regarding payment of money in the bank account of the accused/applicant Raghunath Saha is concerned, the IO has shown me the handwritten statement of the alleged victim Deepak, from whose bank account, the money was allegedly paid through UPI to the accused/applicant Raghunath Saha. The IO has also shown me the bank account statement of Deepak. But Deepak in his statement not even whispered having paid any money to either of the present accused/applicants. The debit entry in the bank account of Deepak is only for Rs.4,000/- and it is a single entry only. The IO has not collected any evidence to show that the bank account statement obtained by him is of the same Deepak who allegedly is the victim. Admittedly, the said bank statement has not been furnished to the IO by the victim Deepak. The IO has also not been able to show any Case Diary recording the collection of that bank statement during the course of investigation.



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8. In nutshell, apart from the bald statement of the complainant *de facto*, naming the present accused/applicants, there is no other evidence against either of them. Of course, on these aspects, the learned trial court shall take independent view on the basis of evidence adduced during trial.

9. In view of above circumstances, I find no reason to deny liberty to the accused/applicants. Both these anticipatory bail applications are allowed and it is directed that in the event of their arrest, the accused/applicants shall be released on bail, subject to each of them furnishing personal bond in the sum of Rs.25,000/- with one surety each in the like amount to the satisfaction of IO/SHO concerned. Accompanying application stands disposed of.

10. It is also specifically directed that both accused/applicants shall join investigation as and when directed in writing by the IO.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 2, 2026/ry