



2025:DHC:169



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 09.01.2025*+ **BAIL APPLN. 3607/2024, CRL.M.A. 30126/2024,  
CRL.M.A. 33581/2024 & CRL.M.A. 30125/2024**

SALMAN KHAN .....Petitioner

Through: Mr. Ashish Kumar and Mr.  
Keshav Ram and Mr. Sahil,  
Advocates.

versus

STATE GOVT. OF NCT OF DELHI  
AND ANR.

.....Respondents

Through: Mr. Manoj Pant, APP for the  
State with SI Pritosh Rathee.**CORAM:****HON'BLE MS. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****SWARANA KANTA SHARMA, J. (ORAL)**

1. The present application has been filed under Section 483 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter 'BNSS') on behalf of the applicant Salman Khan, seeking grant of regular bail in case arising out of FIR bearing no. 208/2019, registered at Police Station Economic Offences Wing, Delhi, for offences punishable under Sections 406/419/420/468/471/120B of the Indian Penal Code, 1860 (hereafter 'IPC').

2. The brief facts of the present case, as per the prosecution, are that the FIR in this case was registered on the joint complaint of Mr.



2025:DHC:169



Imtyaj Alam and 29 others, against Arif Khan and Salman Khan, of M/s Gunjan International Pvt. Ltd. As alleged, the complainants had come in contact with Salman Khan after being induced by advertisements (banners and posters) for jobs in foreign countries, which were pasted on electrical poles on various roads in Delhi. Salman Khan had allegedly promised that he could arrange jobs for them in Kuwait. The complainants had paid ₹60,000 each and handed over their original passports to Salman Khan, with the assurance that they would receive air tickets, original passports with visas, and job agreements on 09.05.2019. However, when the complainants had reached the company's office at New Friends Colony, New Delhi, they had found it locked, and Salman Khan's mobile numbers were switched off. The complaint revealed that a total of ₹18,60,000 was paid to Salman Khan, partly in cash and partly into the A/c No. 50200030765078 in the name of M/s G.K. Tour and Travels Solutions, maintained with HDFC Bank, as instructed by Salman Khan. One of the complainants, Mr. Guddu Alam, had deposited ₹50,000 on 20.04.2019, ₹99,000 on 30.04.2019, ₹51,000 on 01.05.2019, and ₹25,000 on 06.05.2019 into the said bank account on behalf of six victims, including himself.

3. During the investigation, the landlord of the alleged office, Mr. Shyam Sunder, provided a copy of the lease agreement and identification proofs, including the Aadhar Card and Voter ID of the persons who had taken the premises on lease for running the alleged job agency. It was revealed that the premises were taken on lease by



2025:DHC:169



Mohd. Arif Khan. Despite several notices under Section 41A of Cr.P.C. sent to Mohd. Arif Khan, he did not join the investigation and remained untraceable despite sincere efforts. The company M/s Gunjan International Pvt. Ltd. was found to be bogus upon checking the RoC records. Consequently, a Lookout Circular (LOC) was issued against Mohd. Arif Khan. On 11.03.2022, Non-Bailable Warrants (NBWs) were obtained from the Court of CJM, South-East, Saket Courts against Mohd. Arif Khan. On 16.03.2022, information was received from the Immigration Department, Jaipur Airport, that they had apprehended Mohd. Arif Khan. During interrogation and scrutiny of records, it was revealed that an unknown person had impersonated Mohd. Arif Khan, misusing his Aadhaar Card and Voter ID, by morphing the original Arif's picture and replacing it with his own. Copies of the forged documents were provided to the owner of the premises where the fake travel agency was operating. During interrogation, Arif Khan informed the police that he had never operated M/s Gunjan International. His photographs were compared with those provided by the complainant and those on the tenant form and Aadhaar card, and it was found that he was not the person in the photos. The complainants and Mr. Shyam Sundar, the owner of the premises, confirmed that the apprehended person was not the same Arif Khan who had interacted with them. Subsequently, the NBWs issued against the actual Mohd. Arif Khan were cancelled.

4. The investigation revealed that the unknown person had



2025:DHC:169



impersonated Mohd. Arif Khan using forged documents to lease the premises and commit fraud in conspiracy with other co-accused persons. Therefore, Sections 419, 468, and 471 of the IPC were added to the original complaint.

5. Thereafter, the bank account statement of A/c No. 50200030765078, maintained with HDFC Bank, was obtained and analyzed. It revealed that ₹2,00,000 out of ₹2,25,000 deposited by the complainants was further transferred to A/c No. 50180017967158 with Bandhan Bank, Rampur. The Bandhan Bank account was found to belong to accused Salman Khan, resident of Amingar Sarai, Baghpat, Uttar Pradesh. He was served with a notice under Section 41A of Cr.P.C. on 28.06.2024 at his native place. Although he joined the investigation, he did not cooperate and misled the investigation, denying any receipt of money from the complainants. Salman Khan was accordingly arrested on 28.06.2024.

6. During custodial interrogation, Salman Khan disclosed that he, along with his companion Syed Faiz Ali, had operated an office to send people to Gulf countries for jobs. During this time, he opened an account in Bandhan Bank. Thereafter, they came to Delhi, and Syed Faiz Ali introduced him to his friend Imran @ Arif. He revealed that his real name was Imran, but for this fraudulent work, he introduced himself as Mohd. Arif Khan. Imran @ Arif and Faiz also introduced him to another person named Kamal. Imran @ Arif explained the whole plan to them on how they would rent premises using fake documents, send people to Gulf countries, collect money from them



2025:DHC:169



for jobs, visas, and airline tickets, and then flee from the office before the designated day. Imran @ Arif and Salman Khan thereafter rented a premises using fake documents and put up a fake board of M/s Gunjan International. Accused Imran @ Arif and Syed Ali arranged the mobile numbers in someone else's name. Thereafter, they put up advertisements and banners at various places offering jobs abroad. When people called the numbers mentioned on the posters and banners, Imran @ Arif and Salman interacted with them on the phone, invited them to the office, and lured them with promises, and collected their real passports and money. Faiz Ali acted as the boss in the office and Salman used to give the cash and real passports to Syed Ali. Accused Kamal, who introduced himself as Rahul, was responsible for making fake visas to convince the customers. The money was taken into Kamal's firm account, a substantial part of it was transferred to Salman's Bandhan Bank account. Salman also disclosed that the real passports of the persons they had defrauded were kept by Faiz Ali and his companion, who called himself Imran @ Arif. Thereafter, they vacated the office in New Friends Colony and fled with all the documents, which were with Imran @ Arif and Faiz.

7. The learned counsel appearing for the present accused/applicant argues that the applicant is in judicial custody since 28.06.2024, and the allegations made against him are false. It is contended that the charge-sheet against the applicant has already been filed and no purpose will be served by keeping him behind bars.



2025:DHC:169



It is further argued that no recovery has been made from the applicant and that there is no evidence available on record against him. Therefore, it is prayed that the applicant be granted regular bail.

8. On the other hand, the learned APP for the State argues that investigation conducted has revealed that out of the cheated amount of Rs.2,25,000/- deposited online in the name of M/s G.K. Tour & Travel Pvt. Ltd. by the complainants, approximately Rs.2,00,000/- were transferred to the bank account maintained with Bandhan Bank, Rampur which is of present applicant Salman Khan, which he had utilized and had also further transferred money on instructions of co-accused Syed Faiz Ali. It is argued that applicant has been identified by the complainants after his arrest during police custody as the person who induced them and received money from them along with their original passports in the name of providing job, visa and air tickets. It is contended that the allegations against the applicant are serious in nature, that is of cheating innocent persons of their hard earned money, and chargesheet has already been filed against him. Therefore, it is prayed that the present bail application be dismissed.

9. This Court has **heard** arguments addressed on behalf of both the parties, and has gone through the case file.

10. In a nutshell, the prosecution alleges that the accused persons, including the present applicant, had conspired to defraud job seekers by posing as a fake travel agency, M/s Gunjan International, using forged documents. As alleged, they had lured victims with promises



2025:DHC:169



of jobs in Gulf countries, collected significant sums of money and their passports, and then fled, leaving the victims defrauded. The investigation revealed the use of fake identities, forged documents, and fraudulent bank transactions as part of the scheme.

11. Having gone through the contents of the status report and material placed on record, this Court is of the opinion that the charge-sheet against the present accused/applicant Salman Khan has been filed and the investigation has revealed that the accused persons, including the applicant herein, have cheated multiple victims i.e. about 30 persons, of their hard earned money on the false pretext of getting them jobs in foreign countries. In this case, the complainants have also identified the present applicant, and in fact, one of the complainant namely Guddu Alam had himself provided a photograph of the applicant Salman Khan, taken by him during the course of their meetings, etc.

12. Further, the transaction of Rs.2,00,000/- in the bank account of the applicant and, thereafter, further transfer to another bank account could not be justified or any reason be given for the same by the learned counsel appearing for the applicant. On the other hand, the deposit of money of Rs.2,25,000/- by the complainants in instalments in the alleged bank accounts, as mentioned above, has not been refuted. It is also *prima facie* apparent, at this stage, that the applicant had prepared and used fake documents and on the basis of the same, had taken the premises of New Friends Colony on rent, for the purpose of cheating innocent persons.



2025:DHC:169



13. Clearly, it appears from the record that the present applicant was part of the conspiracy where he had cheated gullible people of their hard earned money on the pretext of getting them jobs in foreign countries.

14. Therefore, at this stage, no ground for bail is made out. The bail application is accordingly dismissed.

15. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.

16. The order be uploaded on the website forthwith.

**SWARANA KANTA SHARMA, J**

**JANUARY 9, 2025/A**

*Click here to check corrigendum, if any*