



2025:DHC:9350



\$~

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Judgment delivered on: 27.10.2025*+ **BAIL APPLN. 2986/2025**

PRADEEP

.....Petitioner

Through: Mr. Sulaiman Mohd Khan, Mr.
M.M. Khan, Mr. Bhanu
Malhotra, Mr. Gopeshwer
Singh Chandel and Mr. Abdul
Bari Khan, Advocates

versus

STATE GOVERNMENT NCT OF DELHIRespondent

Through: Mr. Akhand Pratap Singh, SPP
for State along with Ms.
Samridhi Dobhal, Mr. Krishna
Mohan Chandel, Mr. Hritiwik
Maurya, Mr. Ashri Sukhija,
Mr. Mayank Kaushik,
Advocate and ACP Vijay
Kumar Vats.

CORAM:**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. By way of this application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 518.2024, registered at Police Station Samaypur Badli, Delhi for the commission of offence punishable under Section 3 and 4 of the Maharashtra Control of Organised Crime Act, 1999 [hereafter 'MCOCA'].



2025:DHC:9350



2. Brief facts of the case are that the present FIR was registered on the complaint of Sh. Rishi Kumar, IPS, ACP, Sub-Division Samaypur Badli, District Outer North, Delhi, with the prior approval of the Additional Commissioner of Police, Northern Range. It is alleged that in 2015, one Mohan Singh @ Monu (brother-in-law of the present applicant) had come into contact with local criminals and had started committing offences. Thereafter, he was arrested in FIR No. 1218/15, registered for the offences punishable under Sections 397/392/395/412/34 of the Indian Penal Code, 1860 [hereafter '*IPC*'], at P.S. Samaypur Badli, Delhi. It is further alleged that Mohan Singh was regularly involved in various criminal activities along with his real younger brother Sanjay Singh @ Sonu and other members of his organised crime syndicate. It is alleged that Mohan Singh @ Monu had formed an organised crime syndicate comprising his family members, who played significant roles in controlling and facilitating the activities of the syndicate. These members allegedly include his brothers Sanjay Singh @ Sonu and Shivam, his father Arjun Singh, his cousin Pankaj Singh, and his brother-in-law, the present applicant Pradeep Singh. It is further alleged that the syndicate had created terror in the area by committing a series of sensational crimes, including dacoity, robbery, attempt to murder, extortion, theft, burglary, criminal intimidation, assault on police officials, illegal liquor supply, and offences under the Arms Act and the Excise Act. It is stated that co-accused Sanjay Singh @ Sonu is involved in seven criminal cases, whereas co-accused Mohan Singh



2025:DHC:9350



@ Monu is involved in fourteen such cases. It is further alleged that they have amassed substantial movable and immovable properties, including about ten vehicles and four properties, out of their ill-gotten gains, either in their own names or in the names of their family members.

3. During the arrest and police custody remand of co-accused Sanjay Singh @ Sonu, his residence was searched, and documents relating to several immovable properties were recovered. Among these was documentation concerning Plot No. 6, Khasra No. 540, Gali No. 6, Jeevan Park, Siraspur, Delhi. The said property was initially executed between Sh. Raj Kumar Goel and Smt. Phool Devi (mother of Mohan Singh @ Monu) in 2020, and later between Smt. Phool Devi and Smt. Geeta Devi (mother of the applicant Pradeep Singh) in 2024. Investigation revealed that the property had been transferred to Smt. Geeta Devi, mother of the applicant, by Smt. Phool Devi, wife of Arjun Singh and mother of accused Sanjay Singh @ Sonu and Mohan Singh @ Monu. Smt. Geeta Devi was served a notice to join the investigation but failed to cooperate, claiming that she had no connection with the accused's family and that the property had been purchased by her son, Pradeep, in her name. Subsequently, another notice under Section 179 of the Bharatiya Nagarik Suraksha Sanhita, 2023 [hereafter 'BNSS'] was issued directing her to appear along with Pradeep, but both failed to do so and continued to evade the inquiry. It was later found that Smt. Geeta Devi is, in fact, the mother-in-law of co-accused Mohan Singh @ Monu, and that the



2025:DHC:9350



present applicant Pradeep Singh is his brother-in-law. Several notices under Section 179 of BNSS were thereafter served upon the applicant, directing him to join the investigation; however, he failed to comply. Consequently, Non-Bailable Warrants were issued, and proceedings under Section 82 of the Code of Criminal Procedure, 1973 [hereafter '*Cr.P.C.*'] were initiated against him.

4. The applicant's pre-arrest bail application was dismissed by this Court vide order dated 05.03.2025. On 21.03.2025, the main chargesheet was filed against the co-accused persons. The applicant was arrested in the present case on 11.06.2025, and a supplementary chargesheet qua him was filed on 23.06.2025. His first regular bail application was dismissed by the learned Trial Court on 18.07.2025.

5. The learned counsel appearing for the applicant argues that the invocation of Sections 3 and 4 of the MCOCA is wholly unjustified in the present case. It is argued that for the Act to apply, the prosecution must establish (i) a continuing unlawful activity, and (ii) the involvement of the accused in an organised crime syndicate for pecuniary gain. However, neither of these essential elements is satisfied against the applicant. It is contended that the alleged offences relied upon by the prosecution are isolated and unrelated incidents spread over nearly a decade, involving different accused persons, and therefore cannot be treated as part of any continuing unlawful activity. It is submitted that the applicant is not shown to be involved in any of the FIRs relied upon by the prosecution, nor is



2025:DHC:9350



there any material to establish his nexus or association with other co-accused, including his brothers or brothers-in-law. Mere familial relations with other accused persons, it is submitted, cannot be a ground to attract the provisions of MCOCA against the applicant. The learned counsel further argues that the only alleged pecuniary gain attributed to the applicant is a sum of ₹2,90,000/-, which was in fact a legitimate personal loan advanced to a car dealer and later repaid, but has been falsely projected as proceeds of crime. It is further submitted that the applicant was never involved in generating any proceeds of crime or in the commission of any acts constituting organised crime. It is also argued that the investigation stands concluded, and the applicant is no longer required for custodial interrogation, and his continued detention serves no purpose. Thus, it is prayed that the applicant be released on regular bail.

6. On the other hand, the learned SPP for the State vehemently opposes the bail application and submits that the present applicant, Pradeep Singh, is an active participant in the organised crime syndicate led by co-accused Mohan Singh @ Monu. It is argued that the applicant, being the brother-in-law of the said accused, has played a significant role in managing and disposing of the syndicate's ill-gotten wealth through the purchase and sale of movable and immovable properties. The learned SPP submits that the investigation has revealed that the applicant had purchased property bearing Plot No. 6, Khasra No. 540, Gali No. 6, Jeevan Park, Siraspur, Delhi, measuring 60 square yards, from Smt. Phool Devi (mother of accused



2025:DHC:9350



Mohan Singh @ Monu and Sanjay Singh @ Sonu) in the name of his own mother, Smt. Geeta Devi, with the intention of concealing the proceeds of crime. It is further submitted that a sum of ₹2,90,000/- was transferred to the applicant's bank account from the sale proceeds of a Scorpio car (DL8CAP5937), originally purchased and sold by co-accused Shivam, thereby indicating the applicant's active involvement in the money trail of the organised crime syndicate. It is contended that the applicant's role is integral to the financial operations of the syndicate, as he assisted in layering and transferring illicit funds under the guise of property and vehicle transactions. It is further argued that the investigation is still at a crucial stage, and custodial interrogation of the applicant is necessary to trace other movable and immovable assets acquired from the proceeds of organised crime. Accordingly, it is prayed that the present bail application be dismissed.

7. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

8. In the present case, the role ascribed to the applicant/accused Pradeep *prima facie* reveals his active participation in the financial dealings and concealment of property allegedly derived from the activities of an organised crime syndicate led by co-accused Mohan Singh @ Monu. The material collected during investigation so far indicates that the applicant, who is the brother-in-law of the said co-



2025:DHC:9350



accused, had played a significant role in managing and holding movable and immovable properties acquired from the funds and activities of the said organised crime syndicate.

9. Notably, it was revealed during investigation that after registration of the present FIR under the provisions of MCOCA in May 2024, the applicant herein, in June 2024, had purchased property bearing Plot No. 6, out of Khasra No. 540, Gali No. 6, Jeevan Park, Siraspur, Delhi, measuring 60 square yards, from Smt. Phool Devi (the mother of co-accused Mohan Singh @ Monu and Sanjay Singh @ Sonu), in the name of his own mother, Smt. Geeta Devi. The said transaction has been found to be a part of the chain of dealings through which the members of the syndicate sought to transfer and hold properties derived from organised crime.

10. Further, the investigation has also revealed that co-accused Shivam had purchased a second-hand Scorpio car (bearing No. DL8CAP5937) for ₹8,25,000/- and later sold it for ₹7,10,000/-, out of which ₹2,90,000/- was transferred to the bank account of the present applicant. This material, taken together, *prima facie*, at this stage, shows the applicant's involvement in holding and dealing with property obtained or derived from organised crime.

11. In view of the above circumstances, this Court is also guided by the statutory bar contained in Section 21(4) of the MCOCA, which lays down twin conditions for grant of bail – *firstly*, that there must be reasonable grounds for believing that the accused is not



guilty of the alleged offence; and *secondly*, that he is not likely to commit any offence while on bail. Having regard to the nature of allegations, the role attributed to the applicant, and the material collected during investigation, this Court cannot, at this stage, record a satisfaction that these twin conditions stand fulfilled in favour of the applicant.

12. It is also borne out from the record that despite service of repeated notices under Section 179 of BNSS, the applicant failed to join the investigation and continued to evade the process of law. Consequently, Non-Bailable Warrants were issued against him, and he was later declared a proclaimed offender.

13. This Court also takes note of the fact that the investigation is stated to be ongoing with respect to tracing of additional movable and immovable properties allegedly acquired through the proceeds of organised crime. The arguments on charge are yet to be heard and witnesses are yet to be examined.

14. Considering the seriousness of the allegations, the alleged role of the applicant in holding and transferring property derived from organised crime, the fact that he was declared a proclaimed offender before being arrested in the present case, and that the case is still at an initial stage, this Court finds no ground to grant bail to the applicant.

15. Accordingly, the present bail application filed by the applicant/accused Pradeep Singh stands dismissed.



2025:DHC:9350



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

17. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

OCTOBER 27, 2025/ns