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

% ***Date of Decision : 28.10.2026***

\# **CNR No.DLHC010516592026**

\+ **BAIL APPLN. 4576/2026, Crl.M.A.33741/2026**

SYED DANISH SYED SHAZUKAT A SAIYAD DANISH SHOUKATLIAS .....Petitioner

Through: Mr. Aarif Ali, Mr Mujahid Ahmed, Mohd.. Tauheed, Mr. Shah Alam and Ms. Nuzhat Nabi, Advs.

versus

THE STATE NCT OF DELHI .....Respondent

Through: Ms. Priyanka Dalal, APP for State along with Ms. Swati, Adv.
SI Sukhbir Singh, PS Tilak Marg.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (*ORAL*)

1. The petitioner seeks anticipatory bail under section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) read with section 528 of the BNSS in connection with FIR No.47/2025 dated 11.04.2025, registered under sections 420/120-B/34 Indian Penal Code, 1860 (IPC) at P.S. Tilak Marg.

2. The application seeking anticipatory bail filed by the petitioner before the learned Additional Sessions Judge, Patiala House Courts, Delhi was dismissed *vide* order dated 05.10.2026 in Bail Matter 2347/2026.

3. The relevant factual conspectus is that the aforesaid FIR was registered on the compliant of one Sunita who runs an ironing shop. She states that from February 2022, one Ganesh introduced her to Nusrat Jahan

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Syed, the petitioner's elder sister. Nusrat Jahan introduced herself as a Gazetted Officer of the Postal Department of India; she allegedly obtained about Rs. 19 Lakhs from the complainant on the pretext of her sister's medical treatment.

4. Thereafter, she gave the complainant four blank cheques of Rs. 5 lakhs each for discharging the borrowed amount. However, all the said cheques came to be dishonored. Thereafter, the co-accused Nusrat also offered the complainant a job at the Post Office. However, it is noticed that the petitioner has not been named in the subject FIR.

5. Issue notice. Learned APP accepts notice on behalf of the State.

6. Concededly, the petitioner is not named in the FIR. Moreover, he is not amongst the addressees of the complainant's legal notice dated 30.11.2023.

7. It is pointed out that Nusrat Jahan has been arrested and is presently in custody.

8. The petitioner prays for anticipatory bail on the ground that he has no criminal antecedents and is not involved in any manner in the transaction / dealings referred to in the FIR.

9. Heard respective counsel for the parties.

10. In the present case, the following circumstances are relevant:

(i) The petitioner is not named in the FIR;

(ii) The complaint does not make any allegation against the petitioner;

(iii) The only circumstance against the petitioner is receipt of Rs.1,35,000/- from his sister/ Nusrat Jahan's account. There is nothing to indicate that the petitioner knew about the source of these funds.

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(iv) The transfers in favour of the petitioner are recorded in bank statements which have already been obtained.

11. Considering the nature of the matter, the petitioner's custodial interrogation is unwarranted.

12. Reference in this regard may be placed upon the judgment rendered by the Supreme Court in ***Pradip N. Sharma v. State of Gujarat***, 2025 SCC OnLine SC 457, wherein it has been observed as under:

> *"**18.** However, considering the nature of the allegations and the fact that the matter is to be investigated primarily based on documentary evidence, the Court is inclined to grant the relief of anticipatory bail to the appellant. The offences alleged pertain to the exercise of administrative discretion in the passing of an order rather than direct physical involvement in any overt criminal act requiring custodial interrogation. The prosecution has not demonstrated any necessity for the custodial interrogation of the appellant beyond scrutiny of official records, which can be done without placing him in detention. Additionally, the appellant has expressed his willingness to cooperate with the investigation, and no material has been placed before this Court to suggest that he has evaded or obstructed the investigation in any manner. Furthermore, it is well-settled that anticipatory bail can be granted where custodial interrogation is not essential, particularly in cases where the allegations hinge on official records and the presence of the accused can be secured without pre-trial detention. The Court also takes note of the fact that the FIR in question is part of a series of similar allegations against the appellant, and in the absence of any concrete material indicating a likelihood of tampering with evidence or influencing witnesses, the grant of anticipatory bail is justified. Accordingly, while the appellant shall cooperate with the investigation as and when required, he shall not be taken into custody, subject to conditions imposed hereinafter to ensure his participation in the inquiry process."*

13. Considering the facts and circumstances, it is directed that in the event of the petitioner's arrest in FIR No.47/2025, he shall be released on bail, on furnishing of a bail bond of Rs.50,000/- with one surety of like amount, subject to the satisfaction of the Arresting Officer / IO on the following conditions:

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(i) He shall join the investigation as and when called upon by the IO to do so;

(ii) He shall produce his bank statements and any such other document, as may be required by the IO;

(iii) He shall cooperate in tracing the funds stated to have been transferred by the complainant to his sister;

(iv) He shall furnish his residential address and mobile number to the IO and keep the mobile number switched on at all times.

14. In the event of any breach of the aforesaid conditions or in the event of petitioner's non-cooperation, the State shall be entitled to seek recall / vacation of the present order.

15. The petition is disposed of in the above terms. Pending application also stands disposed of.

SACHIN DATTA, J

OCTOBER 28, 2026/cl

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