

(2026) 02 DEL CK 1793

In the Delhi High Court

Case No : Bail Application No. 5062 Of 2025 & Criminal Miscellaneous
Application No. 38913 Of 2025

R. Usha @ G. Usha

APPELLANT

Vs

Central Bureau Investigation

RESPONDENT

Date of Decision : 24-02-2026

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471
Prevention of Corruption Act, 1988 — Section 13(1)(d), 13(2)

Citation : (2026) 02 DEL CK 1793

Hon'ble Judges : Girish Kathpalia, J

Bench : Single Bench

Advocate : Rituraj Biswas, Murari Kumar Singh, Aayush Garg, Vikrant
Pachnanda, Mukul Katyal

Final Decision : Allowed

Judgement

Girish Kathpalia, J

1. The accused/applicant seeks regular bail in case RC No. 0031(A)/2012 DLI of Police Station CBI ACB, New Delhi for offence under Section 120B/420/467/468/471 IPC read with Section 13(2)/13(1)(d) of Prevention of Corruption Act, 1988.

2. I have heard learned counsel for accused/applicant and learned SPP for CBI. The IO/Inspector Davinder has not appeared even in this post-lunch session. Learned SPP submits that the IO has gone to Rouse Avenue District Courts. It seems that CBI is not seriously interested to oppose this bail application.

3. Broadly speaking, the allegation against the accused/applicant is that she, along with few co-accused persons, fraudulently obtained grant to the tune of more than Rs. 2 crore from government, which amount was transferred in a bank account of the NGO run by the accused/applicant. The case was registered by CBI in the year 2012 and all accused persons except the accused/applicant have

already been released on bail. The accused/applicant is stated to have absconded and was arrested on 29.11.2025. In the meanwhile, entire prosecution evidence was concluded in her absence as she was declared Proclaimed Offender.

4. Learned counsel for accused/applicant submits that out of 109 prosecution witnesses, only 76 have been examined and she is in judicial custody since 29.11.2025 itself, as the IO did not require her presence for investigation.

5. Learned SPP for CBI submits that they have only one ground to oppose this bail application and that ground is the possibility of the accused/applicant again fleeing the justice. It is submitted by learned SPP that the accused/applicant had absconded and could be arrested only after 13 years of her being declared Proclaimed Offender. No other ground of opposition has been raised.

6. As mentioned above, the case was registered in 2012 and all accused persons except the present accused/applicant have already been released on

bail. The only ground on which the bail is opposed is that it took 13 years for CBI to apprehend the accused/applicant. As submitted by learned counsel for accused/applicant, her husband is employed with CRPF as Inspector and it is not reasonable to apprehend that she would flee. The fact that it took 13 years for a premier central investigating agency to even apprehend a Proclaimed Offender speaks volumes about their interest or lack thereof in arresting the accused/applicant. That also appears from the fact that the IO has opted not to appear today to assist about the latest status, because learned SPP expresses unawareness as to how many of the remaining prosecution witnesses would deal with the role attributed to the accused/applicant.

7. Considering the above circumstances, I do not find any reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and accused/applicant is directed to be released on bail subject to her furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court. Accompanying application also stands disposed of.

8. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.