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

\# **CNR No.DLHC010515132026**

\+ BAIL APPLN. 4561/2026, CRL.M.(Bail) 2040/2026

(69) DR VINOD KUMAR RANGA & ANR. .....Petitioners

Through: Mr. Mohit Mathur, Sr. Adv., Mr. Keshav Sehgal, Mr. Shivam Gaur, Mr. Dharam Singh, Mr. Aryan Kumar and Ms. Rashi Singh, Advs.

versus

STATE (NCT OF DELHI) .....Respondent

Through: Mr. Sanjeev Bhandari, Sr. Adv. along with Mr. Arjit Sharma, Mr. Amit Goswami, Advs. and Mr. Dharmender Singh, ACP, Anti Corruption Branch for ACB.
Mr. Utkarsh, APP for the State.

\# **CNR No.DLHC010527702026**

\+ BAIL APPLN. 4679/2026, CRL.M.(Bail) 2105/2026

(71) DR VATSALA AGGARWAL .....Petitioner

Through: Mr. Manu Sharma, Sr. Adv. along with Mr. Brijesh Yadav, Ms. Nikita, Mr. Samarth Krishan Luthra, Mr. Yogyank Mishra, Ms. Manoviraj Singh and Mr. Kailash Kumar, Advs.

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Sanjeev Bhandari, Sr. Adv. along with Mr. Arjit Sharma, Mr. Amit Goswami, Advs. and Mr. Dharmender Singh, ACP, Anti Corruption Branch for ACB.
Ms. Priyanka Dalal, APP for the State.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

O R D E R

% 06.11.2026

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1. These two applications seek regular bail in FIR No. 07/2026, dated 02.06.2026, registered at P.S. Anti-Corruption Branch ("ACB"), GNCT of Delhi, under Sections 7A/13(1)/13(2) of the Prevention of Corruption Act, 1988 ("PC Act") read with Sections 61(2)/316(5)/318(4)/238 of the Bharatiya Nyaya Sanhita, 2023 ("BNS"), now pending as CC No. 67/2026 before the learned Special Judge (PC Act) (ACB)-01, Rouse Avenue Court Complex, New Delhi ("Special Judge").

2. Bail Appln. 4561/2026 has been filed by Dr. Vinod Kumar Ranga, through his wife as pairokar, under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS") read with Sections 437 and 439 of the Code of Criminal Procedure, 1973 ("CrPC") and Section 528 BNSS and Section 482 CrPC.

3. Bail Appln. 4679/2026 has been filed by Dr. Vatsala Aggarwal, through her husband as pairokar, under Section 483 BNSS read with the proviso to Section 480(1) BNSS. Since both arise out of the same FIR and the same order of the learned Special Judge, they are dealt with by this common order.

BACKGROUND

4. The FIR was registered on a complaint filed by the Deputy Director (Vigilance), Govt. of NCT of Delhi, initially under Section 7A of the PC Act read with Section 61(2) BNS. Sections 13(1) and 13(2) of the PC Act and Sections 316(5), 318(4) and 238 BNS were added during investigation. The allegation is of cartelisation in procurement of medicines, surgical items, equipment and linen by the Central Procurement Agency ("CPA") of the Directorate General of Health Services ("DGHS"), GNCTD. It is alleged that

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tenders carried restrictive and tailor-made specifications to favour the firms of the co-accused Rajeev Kumar @ Rajiv Arora @ Rajiv Rangeela. It is also alleged that exorbitant payments were made to certain firms.

5. Dr. Ranga was the Head of Office ("HOO"), CPA, and Dr. Aggarwal was the Director General, DGHS, at the time of the alleged offences.

6. Dr. Ranga was arrested on 18.06.2026 and has remained in custody since. Dr. Aggarwal was arrested on 27.06.2026. She was granted four weeks' interim bail on medical grounds by the learned Special Judge on 18.08.2026, was released on 19.08.2026, was refused extension on 14.09.2026, surrendered on 15.09.2026 and has been in custody since. As on date, Dr. Ranga has been in custody for 141 days and Dr. Aggarwal for 105 days, excluding the period of interim bail.

7. The charge-sheet was filed on 16.09.2026 against five accused, citing 84 witnesses, and is stated to run into about 12,000 pages. Rajeev Kumar, against whom proceedings under Section 84 BNSS had been initiated, was arrested on 24.09.2026. Sanction under Section 19 of the PC Act was accorded on 29.09.2026.

8. The bail applications of the applicants were dismissed by the learned Special Judge by a common order dated 17.10.2026. It is in the above backdrop that the present applications have been filed. By a separate order of the same date, the learned Special Judge took cognisance of the offences. Thereafter, on the application of the Investigating Officer, leave for further investigation under Section 193(9) BNSS was granted by order dated 27.10.2026.

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SUBMISSIONS

9. The case set up by the applicant in Bail Appln. 4561/2026 is that the investigation has culminated in the charge-sheet, sanction has been granted, and cognisance has been taken. The learned counsel has placed reliance on the State's reply dated 07.10.2026 (which had been filed by the State before the learned Special Judge in response to the bail application dated 03.10.2026), which records that "*no direct transfer has presently been shown in the applicant's personal bank account*" (paragraph 26 of the reply) and that "*the prosecution does not dispute the existence of a multi-level procurement mechanism*" (paragraph 41 of the reply). It is further submitted that the rates are comparable with those of other public bodies; that no custodial interrogation has been sought against the applicant since 16.08.2026; and that a trial with 84 witnesses will take considerable time. As such, the applicant's continued incarceration will prejudice his right to life and liberty. The learned counsel has placed reliance on ***Sanjay Chandra v. CBI*, (2012) 1 SCC 40**, ***Basant Kumar Kaushik v. State of Chhattisgarh*** (**SLP (Crl.) No. 4542/2026**, order dated 05.05.2026) and ***Sanjay Badaya v. State of Rajasthan***, **2026 INSC 1065**.

10. The submissions advanced on behalf of Dr. Vatsala Aggarwal, the applicant in Bail Appln. 4679/2026, substantially overlap with those noted above. It is additionally submitted that Dr. Aggarwal was not named in the FIR, and that she came to be arrayed as an accused only in the course of investigation. It is submitted that no custody of the tender files in question ever vested in her; in terms of the Office Order dated 11.11.2025, the tender-related files, along with the relevant bids, were to be retained in the

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safe custody of the Head of Office, CPA, and the responsibility for their safekeeping therefore lay elsewhere. It is further submitted that her conduct on 18.05.2026 was consistent with cooperation rather than concealment, inasmuch as, upon being approached by the team of the Directorate of Vigilance, she directed the team to the CPA and, in the presence of its members, spoke to Dr. Ranga on the telephone in that regard. It is pointed out that no monetary trail of any kind has been traced to Dr. Aggarwal, whether to her personal accounts or otherwise. As regards her conduct whilst on bail, it is submitted that she abided by each of the conditions imposed upon her during the period of interim bail granted on medical grounds, and surrendered on the appointed date without demur, which negates any apprehension either of her absconding or of her misusing the concession of bail. Lastly, it is submitted that Dr. Aggarwal is a woman aged about 61 years, suffering from multiple serious ailments, and is on that account entitled to the benefit of the proviso to Section 480(1) BNSS.

11. Both the applicants rely on paragraph 18.69 of the charge-sheet which records the forensic status of the mobile phones seized from them, namely, that the phone of Dr. Aggarwal was examined by the CFSL, that the phone seized from Dr. Ranga could not be unlocked, and that all the seized phones have since been sent to the SFSL, whose report is awaited and is to be filed by way of a supplementary charge-sheet. The same reads as under:

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18.69 Mobile Phone make Apple iPhone 14 plus seized from Dr. Vatsala Aggarwal, mobile phone make nothing phone (2A) seized from accused Neerak Chopra and mobile phone make Apple I phone 12 pro max seized from suspect Roopak Kapoor and mobile make-Vivo seized from accused Vinod Kumar Ranga were deposited at CFSL, Lodhi Road, New Delhi for Forensic analysis. The CFSL has provided its Forensic Analysis Report w.r.t. above mobile phones accept that of accused Vinod Kumar Ranga as they could not break the lock put on this mobile. They also could not retrieve the deleted WhatsApp data from other 3 mobiles. Hence all of above mention 4 mobile phones have been deposited at SFSL, Madhuban Chawk, Rohini, Delhi for forensic analysis. Report from the SFSL is awaited. Once result from the SFSL is received the same will be submitted in the Hon'ble Court through Supplementary Charge Sheet.

12. Mr. Sanjeev Bhandari, learned Senior Counsel appearing as Special Counsel for the ACB, has vehemently opposed both applications, relying on the status report dated 05.11.2026, the charge-sheet, and the orders dated 17.10.2026 (whereby bail was denied to the applicants) and 27.10.2026 (whereby leave was granted for further investigation under Section 193(9) BNSS). He has submitted as under:

(i) This is a large-scale economic offence against public funds, with payments of about Rs. 842 crores to five firms connected with the accused persons on tenders tailored to favour them;

(ii) Section 13(2) of the PC Act carries imprisonment extending to ten years, and Section 316(5) BNS carries imprisonment for life;

(iii) The tender files in question were found missing on 18.05.2026, at the very first visit of the Directorate of Vigilance and before the investigating agency was involved. By an Office Order dated 11.11.2025, issued by Dr. Ranga himself, tender related files were to be kept in the safe custody of the HOO, CPA. On 18.05.2026, Dr. Ranga was asked to remain in office, but had left when the team

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reached the CPA, and his mobile phone was switched off;

(iv) Both applicants were directed during the investigation to trace and hand over the files, but the files have not been produced. It is alleged that they were removed and destroyed;

(v) Neither applicant has produced the mobile phone used during the relevant period, each claiming it to be lost. Dr. Ranga has also not furnished the password of the phone seized from him. This, it is submitted, amounts to destruction of evidence and reflects the applicants' conduct from inception;

(vi) Further investigation is continuing pursuant to the order dated 27.10.2026 and is at a crucial stage. If released, the applicants would hamper it, influence witnesses and destroy remaining evidence. They held senior positions, and the witnesses include officials of the CPA and DGHS; and

(vii) Specific reliance is placed on the following paragraphs of the Status report (05.11.2026):

> *"7. Later on, the CPA provided 10 tender files those are irrelevant to the present case. Along with the complaint, based on which the present FIR has been registered; the complainant has also enclosed different letters and orders issued by the DGHC, Special Secretary (Vig.), Link/HOO-CPA, Secretary/Health and Family Welfare Department, GNCTD and others showing their efforts in retrieving these tainted tender files through which hundred of crores of rupes swere embezzled by the accused persons and accused entities.*
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> ***
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> *16. The CPA has also supplied original order bearing No. F.1(19)/48/DGHS/CPA/2025/2442 dated 11.11.25. According to this order of accused Dr. Vinod Kumar Ranga, all the Tender Related Files along with relevant bids were in his possession and safe custody including the ones those are part of investigation.*

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17. Meanwhile copy of Bills through which payments were made to the allegedFour Firms/company along with one more Firm, namely M/s Sangam Gram Udyog Samiti, whose name has cropped up during investigation, were seized from the CPA/DGHS/GNCTD. Analysis of these Bills show that the CPA has made the following payments to the accused Firms/Company during the relevant period and the same are given below:

Sl. No.	Name of Firm/Company	Amount in Rs.
1	M/s F Med Devices	2047465503/-
2	M/s M Sahib and Sons Pvt. Ltd.	1924280374/-
3	M/s Aashi Pharma and Surgicals	3570517746/-
4	M/s Rajshree Enterprises	8281096/-
5	M/s Sangam Gram Udyog Samiti	865315615/-

TOTAL Rs. 841,58,60,334/-

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19. Perusal of file bearing No. F.1/(9)/197/DGHS/CPA/2026-S1 T. No. 26_01, F MED DEVICES, shows that the BILL FILE has original note sheet from page -1/N- to -3/N- and its corresponding documents from page 1 to page 8. According to the noting on note sheets and corresponding pages, Letter of Award for Procurement of Medicine Item against Tender ID No. 26_01 was issued to M/s Prosper Channel Lifescience India Pvt. Ltd., vide CPA Order No. F1(4)/4/DGHS/CPA/2025/173-176, dated 21.04.26. The Order is issued under signature of accused Dr. Vinod Kumar Ranga. Through this letter the CPA has intimated M/s Prosper Channel Lifescience India Pvt. Ltd. that as per their Bid submitted against Tender enquiry No. 26_01 for supply of Medicines item and subsequent evaluation by the Technical Committee above named company was declared L1 in the Price Bid and was subsequently Award of Contract for supplying Rabies Immunoglobulin (Human) 150 IU/ml Inj. 2ml Vial at the rate of Rs. 7600 Exclusive of taxes was issued to it. Vide Letter No. F1(4)/4/DGHS/CPA/2025/306-309, dated 24.04.26, accused Dr. Vinod Kumar Ranga directed M/s Prosper Channel Lifescience India Pvt. Ltd. to supply the following items at Central Store, Stores & Purchase of DGHS, Janakpuri Super Speciality Hospital, Delhi-110058, as per approved rates finalized under Tender ID: 26_01 vide No. F1(4)/4/DGHS/CPA/2025/173-176, dated 21.04.26:

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Item Code	Item Description	Quantity	Unit	Form	Strength Specification	Rates (Excl. of taxes	Total Price excluding GST
3156 031	Rabies Immunoglobulin (Human) 150 IU/ml	50000	2 ml Vial	Inj.	150 IU/ml	7600	Rs.38,00,00,000
Total amount in INR							Rs.38,00,00,000

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22. During investigation it has also been foud that the accused persons have similarly favoured one of the accused firm namely M/s Sangam Gram Udyog Samiti from whom 509600 Bed Sheets and same number of Pillow Covers were purchased at an exorbitant rate. Perusal of note sheet w.r.t. this tender, shows that after receipt of the bill No. 1 dated 10.09.26 for an amount of Rs. 1776537/-, the note sheet was forwarded to Sr. AO/CPA who, on 15.09.25 raised several issues for compliance and returned the file. After compliance of the observation raised by the Sr. AO/CPA this file was never routed through Sr. AO or AAO/CPA and the file was processed directly by the accused Neeraj Chopra, DCA/CPA. This file was routed to the accused Dr. Vatsala Aggarwal, the then DGHS/GNCT of Delhi through another accused namely Dr. Vinod Kumar Ranga, the then HOO/CPA and accused Neeraj Chopra the then DCA/CPA, every time the bills were raised by accused M/s Sangam Gram Udyog Samiti, seeking approval for making payment. Thus, it is proved the accused persons, in connivance with each other, removed the persons from doing their duty rightfully, who caused hindrance in the crime committed by accused persons.

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25. Details of the questioned Bids have also been taken from the GeM. In response to notice, vide their letter dated 15.06.26, they have provided voluminous data. Amongst all, the following are very important facts that show criminality in tehact of the accused persons:

1. According to the GeM no corrigendum was issued against the said Bids.

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2. The GeM has informed that as per the data available, accused M/s F-Med Devices has not obtained any purchase orders/supply orders through GeM portal.

3. All of the three questioned Bids i.e. (i) GEM/2026/B/7227729 (For procurement of Portable X-Ray Machine), (ii) GEM/2026/B/7088574 (For procurement of C Arm Fluoroscope X-Ray Machine) and (iii) GEM/2026/B/7103569 were at Financial Evaluation on 12.06.2026. No demand/supply order/purchase order has been created in respect to these Bids.

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28. Presence of above-mentioned diaries and stamp of accused company namely M/s M Sahib and Sons Pvt. Ltd. at the residence of accused Rajiv Kumar @ Rajiv Rangeela confirms that he was also controlling this company along with M/s F-Med Devices.

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59. In present case, the conduct of the petitioner from the very inception as indicated in chargesteet, regarding destruction of evidence including but not limited to the conduct by not producing the mobile phone used at the relevant point of time, clearly indicate interference in the investigation and tampering the evidence. Further investigation permitted by Ld. Trial Court vide its order dated 27.10.2026 and it is strong apprehension of the investigating agency that the petitioner would leave no stone unturned to hamper and interfere in the investigation."

13. Mr. Sanjeev Bhandari, learned Senior Counsel, has also placed reliance upon the judgment of the Supreme Court in ***State of Karnataka v. Sri Darshan*, (2026) 8 SCC 223**, to submit that the mere filing of a charge-sheet, or the citing of a long list of witnesses, does not by itself justify the grant of bail. Reliance is also placed on ***Y.S. Jagan Mohan Reddy v. CBI*, (2013) 7 SCC 439**, to contend that economic offences constitute a class apart and must be visited with a different approach at the stage of bail. It is further submitted, relying on ***State of Bihar v. Amit Kumar*, (2017) 13 SCC 751**, that the period of custody already undergone is not, by itself, a ground for the grant of bail,

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and that the said judgment also reiterates that socio-economic offences constitute a class apart, requiring the Court to weigh the competing considerations arising in each case. Lastly, reliance is placed on ***Nimmagadda Prasad v. CBI*, (2013) 7 SCC 466**, to contend that bail was denied where further investigation under Section 173(8) CrPC was pending.

REASONING AND CONCLUSION

14. This Court has perused the record and considered the rival contentions.

Bail is the Rule, Jail the Exception

15. It can hardly be gainsaid that bail is the rule and jail the exception. This position has been affirmed and reiterated by the apex Court in a catena of decisions. It would be apposite to make a reference to the Supreme Court's decision in ***Kalvakuntla Kavitha v. Directorate of Enforcement,* 2024 INSC 632**, wherein the Court, while dealing with an economic offence, observed as follows:

> "*13.* ***We had also reiterated the well-established principle that "bail is the rule and refusal is an exception".*** *We had further observed that the fundamental right of liberty provided under Article 21 of the Constitution is superior to the statutory restrictions.*"
>
> (emphasis supplied)

16. Further, reference can also be made to the apex Court's judgment in ***Syed Iftikhar Andrabi v. National Investigation Agency, Jammu*, 2026 INSC 503**, wherein the Supreme Court, *inter alia*, observed as under:

> "***35. The often invoked phrase 'bail is the rule and jail is the exception' is not merely an empty statutory slogan flowing from the CrPC as Gurwinder has stated. It is a constitutional principle flowing from Articles 21 and 22 of the Constitution and the***

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> ***presumption of innocence which is the cornerstone of any civilised society governed by the rule of law.*** *Statutes may undoubtedly calibrate the manner in which that principle is applied …*"
>
> (emphasis supplied)

17. The Supreme Court in ***Manish Sisodia v. Directorate of Enforcement,* 2024 INSC 595**, made a similar observation as follows:

> *"53. The Court further observed that, over a period of time, the trial courts and the High Courts have forgotten* ***a very well-settled principle of law that bail is not to be withheld as a punishment****. From our experience, we can say that it appears that the trial courts and the High Courts attempt to play safe in matters of grant of bail.* ***The principle that bail is a rule and refusal is an exception is, at times, followed in breach.*** *On account of non-grant of bail even in straight forward open and shut cases, this Court is flooded with huge number of bail petitions thereby adding to the huge pendency.* ***It is high time that the trial courts and the High Courts should recognize the principle that "bail is rule and jail is exception"****."*
>
> (emphasis supplied)

18. In terms of the above *dicta*, the refusal of bail must rest on a demonstrable necessity to keep the accused in custody, and not merely on the gravity of the accusations or the seriousness with which they are viewed. It is on this touchstone that the objections raised on behalf of the State are required to be examined.

19. The legal position is also well settled that the gravity of the offence cannot by itself be a ground to refuse bail. This position has been affirmed by the Supreme Court in ***P. Chidambaram v. Directorate of Enforcement,* (2020) 13 SCC 791**, wherein the Court, *inter alia*, held as under:

> *"23.* ***Thus, from cumulative perusal of the judgments cited on either side including the one rendered by the Constitution Bench of this Court, it could be deduced that the basic jurisprudence relating to bail remains the same inasmuch as the grant of bail is***

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the rule and refusal is the exception so as to ensure that the accused has the opportunity of securing fair trial. However, while considering the same the gravity of the offence is an aspect which is required to be kept in view by the Court. *The gravity for the said purpose will have to be gathered from the facts and circumstances arising in each case. Keeping in view the consequences that would befall on the society in cases of financial irregularities, it has been held that even economic offences would fall under the category of "grave offence" and in such circumstance while considering the application for bail in such matters, the Court will have to deal with the same, being sensitive to the nature of allegation made against the accused. One of the circumstances to consider the gravity of the offence is also the term of sentence that is prescribed for the offence the accused is alleged to have committed. Such consideration with regard to the gravity of offence is a factor which is in addition to the triple test or the tripod test that would be normally applied.* ***In that regard what is also to be kept in perspective is that even if the allegation is one of grave economic offence, it is not a rule that bail should be denied in every case since there is no such bar created in the relevant enactment passed by the legislature nor does the bail jurisprudence provide so.*** *Therefore, the underlining conclusion is that irrespective of the nature and gravity of charge, the precedent of another case alone will not be the basis for either grant or refusal of bail though it may have a bearing on principle. But ultimately the consideration will have to be on case-to-case basis on the facts involved therein and securing the presence of the accused to stand trial.*"

(emphasis supplied)

20. In ***Prabhakar Tewari v. State of U.P.,*** **(2020) 11 SCC 648**, the Supreme Court, *inter alia*, held as under:

> "*7. … The materials available do not justify arriving at the conclusion that the order impugned suffers from non-application of mind or the reason for granting bail is not borne out from a prima facie view of the evidence on record.* ***The offence alleged no doubt is grave and serious and there are several criminal cases pending against the accused. These factors by themselves cannot be the basis for refusal of prayer for bail.*** *The High Court has exercised its discretion in granting bail to the accused Vikram Singh upon considering relevant materials. No ex facie error in the order has*

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been shown by the appellant which would establish exercise of such discretion to be improper. We accordingly sustain the order of the High Court granting bail. This appeal is dismissed."

(emphasis supplied)

21. It would also be worthwhile to take note of ***Arvind Dham v. Directorate of Enforcement,* 2026 INSC 12**, wherein the Court, *inter alia*, observed as under:

> "18. The right to speedy trial, enshrined under Article 21 of the Constitution, is not eclipsed by the nature of the offence. Prolonged incarceration of an undertrial, without commencement or reasonable progress of trial, cannot be countenanced, as it has the effect of converting pretrial detention into form of punishment. ***Economic offences, by their very nature, may differ in degree and fact, and therefore cannot be treated as homogeneous class warranting a blanket denial of bail.***"
>
> (emphasis supplied)

22. On behalf of the State, heavy reliance is placed on ***Y.S. Jagan Mohan Reddy v. CBI (supra)***, wherein the Court noted:

> "*34.* ***Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences*** *affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.*"
>
> (emphasis supplied)

The Supreme Court in ***Nimmagadda Prasad v. CBI (supra)*** made an identical observation. Learned Senior Counsel for the State has emphasised that bail was, in fact, declined in both these cases.

23. It may be noted that in ***Y.S. Jagan Mohan Reddy (supra),*** the Supreme Court itself observed as under:

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> "*35. While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered with, the larger interests of the public/State and other similar considerations.*"

24. The present case is distinguishable from both ***Y.S. Jagan Mohan Reddy (supra)*** and ***Nimmagadda Prasad v. CBI (supra)***. In both cases, the bail was declined to enable completion of the investigation in a time-bound manner, with liberty to renew the prayer before the trial Court. In ***Nimmagadda Prasad (supra)***, moreover, further investigation under Section 173(8) of the CrPC into the appellant's own dealings with the entities concerned was in progress, and the trial court had recorded that some of the witnesses were on his payroll. In ***Y.S. Jagan Mohan Reddy (supra)***, the Court, while rejecting the prayer for bail, noted the following:

> "*36.* ***Taking note of all these facts and the huge magnitude of the case and also the request of CBI asking for further time for completion of the investigation in filing the charge-sheet(s), without expressing any opinion on the merits, we are of the opinion that the release of the appellant at this stage may hamper the investigation. However, we direct CBI to complete the investigation and file the charge-sheet(s) within a period of 4 months from today.*** *Thereafter, as observed in the earlier order dated 5-10-2012, the appellant is free to renew his prayer for bail before the trial court and if any such petition is filed, the trial court is free to consider the prayer for bail independently on its own merits without being influenced by dismissal of the present appeal.*"
>
> (emphasis supplied)

The Supreme Court in ***Nimmagadda Prasad v. CBI (supra)***, while rejecting the bail plea, made the following observations:

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> "*26. Taking note of all these aspects, without expressing any opinion on the merits of the case and also with regard to the claim of CBI and the defence,* ***we are of the opinion that the appellant cannot be released at this stage, however, we direct CBI to complete the investigation and file charge-sheet(s) as early as possible preferably within a period of four months from today.*** *Thereafter, the appellant is free to renew his prayer for bail before the trial court and if any such petition is filed, the trial court is free to consider the prayer for bail independently on its own merits without being influenced by dismissal of the present appeal.*"
>
> (emphasis supplied)

25. In the present case, the matter is at a stage where the investigation is substantially complete, the charge-sheet has been filed, and cognisance has also been taken.

Necessity of Continued Incarceration

26. The Supreme Court in ***Sanjay Chandra v. CBI (supra)***, while dealing with a case under the PC Act involving loss to the exchequer, *inter alia*, observed as under:

> "*21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail.* ***The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon.*** *The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.*
> *22.* ***From the earliest times, it was appreciated that detention in custody pending completion of trial could be a cause of great hardship. From time to time, necessity demands that some unconvicted persons should be held in custody pending trial to secure their attendance at the trial but in such cases, "necessity" is the operative test.*** *In this country, it would be quite contrary to the concept of personal liberty enshrined in the Constitution that any person should be punished in respect of any matter, upon which, he*

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has not been convicted or that in any circumstances, he should be deprived of his liberty upon only the belief that he will tamper with the witnesses if left at liberty, save in the most extraordinary circumstances."

(emphasis supplied)

27. Therefore, the 'necessity' of continuing the detention of the applicants is the yardstick against which this Court should consider the present bail applications. Paragraph 46 of ***Sanjay Chandra (supra)***, concerning this aspect, is quoted hereinbelow:

"*46. We are conscious of the fact that the accused are charged with economic offences of huge magnitude. We are also conscious of the fact that the offences alleged, if proved, may jeopardise the economy of the country.* ***At the same time, we cannot lose sight of the fact that the investigating agency has already completed investigation and the charge-sheet is already filed before the Special Judge, CBI, New Delhi. Therefore, their presence in the custody may not be necessary for further investigation.*** *We are of the view that the appellants are entitled to the grant of bail pending trial on stringent conditions in order to ally the apprehension expressed by CBI.*"

(emphasis supplied)

28. This Court is of the view that the aforesaid observations squarely apply to the factual conspectus in the present case.

29. The State places a strong reliance on the judgment of the Supreme Court in ***State of Karnataka v. Sri Darshan (supra)***, wherein it has been observed as under :

"*35.1.* ***It is well settled that the mere filing of a charge-sheet does not confer an indefeasible right to bail. Likewise, the mere prospect of a prolonged trial cannot, by itself, outweigh the gravity of the offence,*** *the incriminating material gathered during investigation, or the likelihood of tampering with witnesses.*

***

35.6. In the present case, the High Court failed to engage with the incriminating material collected during investigation, despite the

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seriousness of the offence under Section 302 IPC and the allegation of conspiracy. ***The mere filing of the charge-sheet, the existence of a long list of witnesses, or the possibility of delay in trial, cannot, by themselves, constitute valid reasons to dilute the gravity of the offence or to disregard the case put forth by the prosecution. As repeatedly held by this Court, such factors are not standalone grounds for the grant of bail in heinous offences involving murder.*** *The reasoning adopted by the High Court to justify the grant of bail is, therefore, contrary to settled legal principles.*"

(emphasis supplied)

30. ***Sri Darshan (supra)*** does not advance the case of the State. That was a case of murder and criminal conspiracy under Section 302 IPC, in which the High Court had granted bail without engaging with the incriminating material, among other things, essentially on the footing that the charge-sheet had been filed and a large number of witnesses had been cited. The Supreme Court held that these were not standalone grounds for bail in "*heinous offences involving murder*" (paragraph 35.6), and its observations are to be read in that context. The proposition that the filing of a charge-sheet or the prospect of a protracted trial does not, by itself, entitle an accused to bail is unexceptionable, and this Court does not proceed on any such footing. Likewise, in ***Amit Kumar (supra)***, the Supreme Court set aside an order granting bail to the alleged kingpin of an examination scam, which was bereft of reasons and rested on the period of custody alone. The period of custody undergone is not, by itself, the basis of the present order either. Each of the circumstances pressed by the State is examined on its own footing hereinafter.

31. Having considered the above judicial precedents, and considering the totality of facts and circumstances, the following considerations weigh with this Court:

(i) The prosecution's case rests substantially on official records, GeM

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records, bank records, and electronic material, which have been collected and are with the prosecution. Considering that the case rests largely on documentary material, which has already been substantially seized, the apprehension of tampering with the evidence is substantially allayed. In ***Manish Sisodia (supra)***, the Supreme Court observed as under :

> "*57. Insofar as the apprehension given by the learned ASG regarding the possibility of tampering the evidence is concerned,* ***it is to be noted that the case largely depends on documentary evidence which is already seized by the prosecution. As such, there is no possibility of tampering with the evidence.*** *Insofar as the concern with regard to influencing the witnesses is concerned, the said concern can be addressed by imposing stringent conditions upon the appellant.*"
>
> (emphasis supplied)

Similar observations have been made by the Supreme Court in ***Sanjay Badaya v. State of Rajasthan,*** **2026 INSC 1065** (paragraph 10), where the case rested predominantly on documentary records and electronic trails which were already seized and in the custody of the investigating agency.

(ii) The pendency of further investigation/s, in the given factual conspectus, does not necessitate the continued custody of the applicants. It appears that the investigation is pending on the following aspects: forensic analysis of SD cards and hard disks seized from the CPA and DGHS; scrutiny of data supplied by GeM; examination of DVRs and banking instruments to identify those who operated the accounts of the accused firms; the SFSL report on the mobile phones; and investigation qua Rajeev Kumar and other

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persons and firms. Paragraphs 18 and 19 of the order dated 17.10.2026 passed by the learned Special Judge taking cognisance, read as follows:

> "*18. However, the charge-sheet reveals that the investigation has been kept open several aspects, including (a) analysis of the images on SD cards of the CCTV cameras of the CPA office by the SFSL, and forensic analysis of 29 hard disks seized from the CPA office at Shakarpur; (b) forensic analysis of four hard disks and one desktop computer seized from the office of the Applicant; (c) scrutiny of the voluminous data supplied by GeM in respect of the questioned bids, including the bid for Anaesthesia Work Stations; (d) examination of the DVRs seized from the bank branches and of the original banking instruments of M/s F-Med Devices and M/s M Sahib and Sons Pvt. Ltd., to identify the persons who operated those accounts; and (e) the SFSL report on the mobile phones of the accused persons and suspects, for retrieval of deleted WhatsApp data, etc. 19. It may also be mentioned here that further investigation qua accused Rajeev Kumar @ Rajiv Arora @ Rajiv Rangeela and other known alleged persons and firms/companies, including one whose name cropped up during investigation, is statedly going on, as per the main charge-sheet, in which, it is mentioned that outcome thereof will be submitted by way of supplementary charge-sheet, before the Court once the investigation is complete.*"

The aforesaid steps are directed at examination of material already seized, or at other persons. The application dated 23.10.2026 of the Investigating Officer, on which leave for further investigation was granted on 27.10.2026, is to the same effect: it seeks to examine the links of the co-accused Rajeev Kumar with other firms/entities, the financial trail of the beneficiary firms and the role of other persons, and refers to pending forensic reports. It is

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difficult to conceive as to how any of these aspects require the custody of either of the applicants.

(iii) The circumstance concerning the missing tender files is the most serious circumstance pressed against the applicants. The Ld. Special Judge, *vide* the order dated 17.10.2026, observed that the non-availability of these files has deprived the investigating agency of primary documentary material. It is noted that:

a. Against the applicant in Bail Appln. 4561/2026 (Dr. Ranga), the State relies on the Office Order (11.11.2025) issued by him and statements of officials.

b. Against the applicant in Bail Appln. 4679/2026 (Dr. Aggarwal), although the allegation is not of personal custody, it is alleged that she, having received the files for approval, connived in their destruction and made no effort to trace them.

In the opinion of this Court, these circumstances do not warrant continued detention of the applicants. The files are still allegedly missing, even though the applicants have been in custody for several months and eight premises, as per paragraph 26 of the status report (dated 05.11.2026), have already been searched. There is no basis for assuming that continued custody of the applicants would lead to recovery of the files, the more so when, as the applicants point out, the last custodial interrogation of either of them was conducted as far back as 16.08.2026. It is also noted that the absence of the files has not prevented the State from filing a detailed charge-sheet on the basis of the bill files, GeM data, stock registers, bank records and statements of witnesses, which the State

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itself describes as substantial. Significantly, the files were not produced when sought by the Directorate of Vigilance team on 18.05.2026, nor thereafter despite repeated requests, and the CPA reported on 16.06.2026 that they had not been handed over; all of this was before the arrest of either applicant. The non-availability of the files thus preceded any period of custody. If, as the State alleges, the files have been destroyed, there is nothing left to recover. If they have been concealed, Dr. Ranga has been in custody since 18.06.2026, has been interrogated in police custody, eight premises have been searched, and both the applicants were directed to trace the files, all without result; nor does the application for further investigation list the recovery of the files amongst the steps that remain. Pre-trial detention cannot be employed as a means of compelling an accused to produce documents which he is alleged to have made away with. It is also noteworthy that the State's own reply dated 07.10.2026 before the learned Special Judge records that the non-availability of the records has been examined in relation to the offence under Section 238 BNS "*without treating mere non-availability of records, by itself, as conclusive proof of disappearance or destruction of evidence*".

Further, the applicants are no longer in a position to commit any detrimental official action, since the applicant in Bail Appln. 4679/2026 (Dr. Aggarwal) has been out of the post since 21.05.2026, and the applicant in Bail Appln. 4561/2026 (Dr. Ranga) since his transfer by order dated 01.06.2026. Both were placed under suspension on 09.06.2026. The documents on which

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the prosecution relies stand seized, and two of the witnesses supporting the prosecution case have already been examined under Section 183 BNSS (paragraph 38 of the status report). Any residual apprehension of the applicants influencing officials of the CPA or the DGHS can be met by appropriate conditions.

It is undoubtedly a matter for trial to decide as to who removed the files and with what intent. At this stage, the bail cannot be withheld as a form of pre-trial punishment. In this regard, it is apposite to make a reference to ***Sanjay Chandra (supra)***, wherein the Supreme Court remarked the following:

> "*23. Apart from the question of prevention being the object of refusal of bail, one must not lose sight of the fact that any imprisonment before conviction has a substantial punitive content and* ***it would be improper for any court to refuse bail as a mark of disapproval of former conduct whether the accused has been convicted for it or not or to refuse bail to an unconvicted person for the purpose of giving him a taste of imprisonment as a lesson.***"
>
> (emphasis supplied)

The same holds good for the mobile phones. The case of the State is that neither applicant has produced the handset in use during the relevant period, each claiming it to be lost, and that Dr. Ranga has not furnished the password of the phone seized from him. Whether the explanation of loss is true, and what inference would follow if it is not, are matters for trial, on which this Court expresses no opinion. For the present purpose, it is sufficient to note that a handset said to have been lost before arrest cannot be recovered by keeping its owner in custody; that the seized phones

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are already with the SFSL, whose report is awaited and is to be filed by way of a supplementary charge-sheet (paragraph 18.69 of the charge-sheet); that the call detail records of the numbers in use are obtainable from the service providers without the handsets; and that the password has not been forthcoming in over four months of custody, there being nothing on record to suggest that a further period of incarceration would yield it.

(iv) Several of the matters canvassed before this Court also favour the applicants and can only be tested at the stage of trial:

a. The prosecution does not allege that any money has been traced to either applicant. The State's reply dated 07.10.2026, in paragraph 26, accepts that no direct transfer has presently been shown in the personal bank account of the applicant in Bail Appln. 4561/2026 (Dr. Ranga), and the order dated 17.10.2026, in paragraph 19, notes the same as regards both applicants.

b. The amount of Rs. 842 crores represents payments made to the five firms, even though the charge-sheet describes it as a wrongful loss. To this effect, the status report, with regard to the X-ray procurement, in paragraph 56, itself states that the difference in quoted prices "*cannot be treated as a conclusively established financial loss without reconciling the applicable taxes, specifications and underlying procurement records*".

c. The order taking cognisance records, in paragraphs 30 and 35, that files reached each public servant for approval and that each criminally connived and destroyed evidence. The case of connivance and destruction of evidence is thus pleaded against

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each of the three public servants. Whether that pleading is made good against each of them, by evidence of what he or she actually did, is again a matter for trial.

(v) The proceedings are at the stage of scrutiny of documents and charges are yet to be framed. Further, there are 84 witnesses and voluminous material, and further investigation and a supplementary charge-sheet are contemplated. Therefore, the trial will take considerable time. Although this cannot be the sole consideration, it is a relevant one.

(vi) Since both the applicants are doctors, with permanent residences in Delhi and no criminal antecedents, there is nothing on record to suggest that either applicant is a flight risk. Dr. Aggarwal, in particular, abided by the conditions of her interim bail and surrendered on the appointed date.

Medical Condition

32. As regards the applicant in Bail Appln. 4679/2026, it is noticed that she is about 61 years of age and has a precarious medical condition. The medical status report, dated 05.11.2026, prepared by the Medical Officer-in-charge, Central Jail No. 06 Dispensary, Tihar, New Delhi, reads as follows:

> "*Subject: Medical status report UTP Vatsala / Munish.*
> *This is in continuation of dak no D.No./SMO/CJ-06/2026/1301 Date: 29/09/2026. With respect to subject cited above it is submitted that the above-mentioned inmate is currently lodged in CJ-06. As per available record, she is a known up case of systemic Hypertension, Diabetes Mellitus –II, Lower backache and Bronchial Asthma [since childhood].*
> *She was admitted in Medical Inspection Room on 15/09/2026 for better observation and management in view of breathing difficulty. Her routine blood investigations were done in central Jail Hospital, reports were within normal limit. She was reviewed by Jail visiting Medicine Doctor I view of breathing difficulty and was prescribed treatment for the same. On*

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17/09/2026, she was reviewed by Jail visiting Psychiatry Doctor in view of Ghabrahat and disturb sleep. Doctor examined her, prescribed medicines for the same and advised to follow up whenever required. Same day she was reviewed by Jail visiting Orthopedician in view of lower backache radiating to both legs with numbness. Doctor examined her, advised for physiotherapy and prescribed treatment for her complaints. She has been under regular follow up by Doctors posted in CJ-06 Dispensary and Jail visiting Specialists. She was discharged on 01/10/2026 in stable condition.
On 04/10/2026, she was reviewed by Jail visiting Medicine Specialists in view of difficulty in breathing and chest discomfort. Doctor examined her and advised for admission in Medical Inspection room for further management and prescribed treatment for the same. On 28/10/2026, she complained of burning micturation. Her urine test was done in Central Jail Hospital. She was reviewed by Medicine specialist along with urine test report. Doctor examined her, and prescribed treatment for urinary tract infection. She was managed conservatively and discharged on 03/11/2026 in stable condition from Medical Inspection Room.
On 04/11/2026, she complained of shortness of breath and weakness. She was reviewed by Jail visiting Medicine Doctor and advised for blood & urine investigation, which will be done in Central Jail Hospital and was prescribed treatment. Doctor also advised to admit her in Medical Inspection room for further management. On 05/11/2026, she was reviewed by Jail visiting orthopedic Doctor. Doctor examined her, advised for hot fermentation along with medical diet and advised to continue same treatment.
At present, her vitals are stable. She is admitted in Medical Inspection room as advised. She is on medication for systemic Hypertension, Diabetes Mellitus –II, Bronchial Asthma, Lower backache and urinary tract infection. Blood pressure & Blood Sugar charting is done regularly. C-Pap machine is provided to her. Physiotherapy is done in Central Jail Hospital on weekly basis. She is under regular follow up of Doctors posted in CJ-06 Dispensary and Jail visiting Specialists. She has been prescribed medical diet as per Jail rule. All prescribed medicines from inside and outside Hospital are provided to her from CJ-06 Dispensary as directed by the Honorable Court.
This is for your kind perusal."

33. Although the report states that the applicant's vitals are stable and that she is receiving treatment in jail, it also shows that she has been in the Medical Inspection Room for much of the period since her surrender, with recurrent breathing difficulty and a fresh infection. She has, in fact, been admitted to the Medical Inspection Room on three occasions since her

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surrender on 15.09.2026 (from 15.09.2026 to 01.10.2026, from 04.10.2026 to 03.11.2026, and again from 04.11.2026), and has been provided a C-PAP machine. The discharge summary (dated 25.08.2026 of Jaipur Golden Hospital) further records that, while on interim bail, she was admitted under the Department of Respiratory Medicine from 21.08.2026 to 25.08.2026 with chronic bronchial asthma with community-acquired infection, septicaemia, oxygen desaturation and mixed sleep apnoea, and was discharged with the advice of adaptive servo-ventilation with nocturnal oxygen therapy.

34. In this regard, it may be noted that although the restriction contained in Section 480(1) of the BNSS does not, in terms, bind this Court, the proviso thereto reflects a clear legislative policy that a person who "*is a woman or is sick or infirm*" may be released on bail even where the offence is punishable with death or imprisonment for life. The applicant in Bail Appln. 4679/2026 answers both descriptions. This is a relevant factor which weighs in her favour.

Conclusion

35. Considering the totality of circumstances, this Court is therefore inclined to grant bail to the applicants. Accordingly, the present applications are allowed.

36. The applicants are, accordingly, directed to be released on regular bail on furnishing a personal bond in the sum of Rs. 50,000 each, with one surety of like amount to the satisfaction of the trial Court/Duty Magistrate, subject to the following conditions:

A. The applicants shall not leave the NCR or travel out of the country without the prior permission of the learned Trial Court,

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and shall surrender their passports, if any and if not already surrendered, before the learned Trial Court;

B. The applicants shall furnish their permanent address to the learned Trial Court, and also the address where they will be residing during the pendency of the case, and shall intimate the Investigating Officer ("IO") and file an affidavit before the learned Trial Court regarding any change;

C. Neither applicant shall enter the premises of the CPA or the DGHS, GNCTD, except with the prior permission of the learned Trial Court;

D. The applicants shall furnish their mobile numbers to the IO/SHO concerned, which shall be kept switched on and in working condition so that they remain reachable. The numbers shall not be changed without prior intimation to the IO;

E. The applicants shall join and cooperate with the investigation, including the further investigation, as and when called upon by written notice;

F. The applicants shall not, directly or indirectly, contact any prosecution witness or, in connection with the present case, any official of the CPA or the DGHS, GNCTD;

G. The applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, or tamper with the evidence in any manner whatsoever;

H. The applicants shall appear before the learned Trial Court on each and every date of hearing, unless exempted;

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I. The applicants shall not indulge in any criminal activity during the period of bail; and

J. The applicants shall report to the concerned SHO on the first Monday of every month at 11:00 A.M. and be discharged by 12:00 P.M., after their presence is recorded and the necessary formalities are completed.

37. If any of these conditions is breached, it shall be open to the State to seek cancellation of bail.

38. The present applications are disposed of in the above terms. CRL.M.(Bail) 2040/2026 and CRL.M.(Bail) 2105/2026, seeking interim bail, as well as pending applications, if any, stand disposed of as infructuous.

39. It is made clear that the observations made hereinabove are solely for the purpose of deciding the present bail applications *qua* the applicants alone and the same shall not be construed as an expression of opinion of this Court on the merits of the case or in any manner, be construed as affecting the trial in any way whatsoever.

40. Let a copy of this order be communicated to the concerned Jail Superintendent, electronically, for information and necessary compliance.

SACHIN DATTA, J

NOVEMBER 6, 2026/*r/vk/sd*

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