

Bail Matter No.289/2026
FIR No.00011/2025
PS Cyber, PS Central
U/s 318 (4)/319 BNS
State of Delhi vs. Abhishek Pathre

28.02.2026

Present: Sh. Gyan Chandra Soni, learned Addl. P.P. for State.
Sh. Arun Sheoran and Sh.Akshay Vij, Ld. counsels
for the applicant/accused.
IO/SI Ravinder Kumar.
Status report filed by IO. Copy has already been
supplied.
Charge-sheet has been received.
Arguments heard from both sides. Record perused.
Put up at 4:00 pm for Order.

(Joginder Prakash Nahar)
ASJ (FTC)-1, Central District,
Tis Hazari Courts, Delhi/28.02.2026

It is 4:00 pm.
Present : As above.

The present Order shall decide regular bail application moved on behalf of applicant/accused Abhishek Pathre after hearing both the parties.

Ld. Counsels for the applicant/accused has submitted that the applicant/accused Abhishek Pathre has been apprehended only on the disclosure of co-accused Nishant. Co-accused Nishant is already on bail vide order dated 16/2/2026. The

offence is punishable for not more than seven years. The applicant/accused is a young boy, who has no prior criminal antecedents.

Ld. APP for the State has submitted that Wi-fi of the applicant/accused was used during commission of the offence. The Wi-Fi was used multiple times and there are many IP logs on the Wi-Fi of this applicant/accused during commission of offence.

This is second bail application moved on behalf of the present applicant/accused and the first bail application was dismissed on 30-01-2026. Now charge-sheet has been filed against the present applicant/accused. The applicant/accused has argued that no money was received by him. His bank account was not used in the criminal activity. The applicant/accused has relied upon the following citations:-

a) *Bail application No.3791/2020 in Sai Chandrasekhar Vs. Directorate of Enforcement at para no.23 of Hon'ble High Court of Delhi.*

b) *Criminal Appeal No.1449 of 2008 in Anwar Ali Vs. State of Chhatisgarh at para no.5 of Hon'ble Supreme Court of India.*

c) *Cr.MP (M) No.659 of 2016 in Sanjeev Kumar Vs. State of Himachal Pradesh and in Cr.MP(M) No.736 of 2016 in Soni Kumar Vs. State of Himachal Pradesh at para no.6 passed by Hon'ble High Court of Himachal Pradesh, Shimla.*

and

d) Criminal Appeal No.1340 of 2019 in P. Chidambaram Vs. Directorate of Enforcement at para no.67 of Hon'ble Supreme Court of India.

The co-accused Raman Soni was granted bail vide order dated 21/2/2026. Ld. Counsels for the applicant/accused have also relied upon citations titled *P. Krishna Mohan Reddy Vs. State of Andhra Pradesh, SNP (Criminal) No.7532 of 2025 dated 16th May, 2025 at para no.53* in respect of statement u/S 161 Cr.PC of the co-accused containing / implicating another co-accused then the same cannot be taken into consideration against the co-accused when the statement itself is exculpatory in nature and no credibility can be attached to such statement. Such statement are also hit by u/S 162 of Cr.PC against the same accused but for limited purpose u/S 27 of Indian Evidence Act. Now, the investigation in respect of the applicant/accused has been completed. Police custody of the applicant/accused is not required. Applicant/accused does not have any previous criminal antecedents. The applicant/accused is of young age.

Keeping in view of the above facts and circumstances of the case and on the ground of parity, the applicant/accused Abhishek Pathre is hereby granted bail on the personal bond of **Rs.30,000/- with one surety of the like amount**, to the satisfaction of Ld. JMFC/ Link JMFC/Duty JMFC subject to following conditions:

(a) The accused shall appear before the IO as well as Trial Court on each and every date, when he is called upon to do so.

(b) The accused shall not directly or indirectly induce, threaten, or promise any witness acquainted with the facts of the case;

(c) The accused shall not tamper with the evidence in any manner;

(d) The accused shall not leave India without prior permission of the Court;

(e) The accused shall cooperate with the investigation as and when required;

(f) In case the accused changes his address, he shall furnish his new address to the IO as well as the Court;

(g) In case, accused re-offends, the bail granted in this case, shall be cancelled forthwith;

Nothing expressed herein shall be construed as expression of opinion of the Court on the merits of the case. With these conditions and observations the bail application stands disposed off. Copy of this order be sent to the concerned Jail Superintendent for compliance.

(Joginder Prakash Nahar)
ASJ (FTC)-1, Central District,
Tis Hazari Courts, Delhi/28.02.2026