Bail Application No. 1061/2026
STATE Vs. KAMAL PANDEY
FIR No. 36/2025
PS Cyber Police Station

04.08.2026

Present: Sh. Naresh Choudhary, Ld. Addl. PP for State.
Sh. Amar Singh, Ld. Counsel for the accused/applicant.
Sh. Mudassir Saleem Khan, Ld. Counsel for the complainant.

This is an application seeking cancellation of bail filed on behalf of applicant/complainant.

Reply has already been filed by the IO.

Arguments heard and record perused.

01. The application has been filed under Section 483 BNSS seeking cancellation of bail of the respondent granted by Ld. CJM vide order dated 20.05.2026. The present case FIR was registered for the offences punishable under Section 308/318(4)/319/340 BNS.

02. The allegations in brief are that, the complaint of cyber fraud was lodged on a bank account. It was alleged that the complainant was dishonestly induced to invest Rs. 45,33,000/- by promising lucrative incentives and returns on investment. The aforesaid amount was transferred in an account of Canara Bank, which was later on transferred in ten different accounts. Two of the accounts pertains to Axis Bank and the respondent/accused was working as Assistant

Manager at the said branch of Axis Bank. It is alleged that while working as Asstt. Manager, the accused has actively facilitate the operation of both the accounts.

03. The primary account holder namely, Kapil Bain and Manoj Sharma were arrested and they disclosed the involvement of the respondent in this case. It is further the case of the prosecution that during the tenure of the respondent in the said bank, 139 NCRP complaints were reported on the accounts opened by the applicant. It is alleged that the accused was actively involved in providing mule accounts.

04. The Ld. Trial Court has granted bail to the accused and observed that the allegations against the accused are that he has facilitated the cyber offence by opening the bank accounts and personally filling the account opening forms and assisting the customers in the withdrawal of money. The Ld. Trial Court has rightly observed the aforesaid acts attributed to the accused are part of his duties. Moreover, the other allegations of receiving money from the primary account holder is a part of disclosure statements of co-accused.

05. It is a settled preposition of law that the bail once granted should be cancelled only in sparring circumstances. The presumption of innocence of the accused until proven guilty is one of the important aspect of the criminal justice system. The accused has already been in custody and investigation qua him is complete. Moreover, the evidence is based on documentary evidence and there is no apprehension of hampering the trial by tampering of evidence or by influencing the witnesses. Furthermore, the other co-accused has also been granted bail. In the attending facts and circumstances, there is no ground or reason to interfere in the order of Ld. CJM, whereby the accused was granted bail.

Accordingly, the application stands dismissed.

Copy of the order be given dasti to all concerned.

(Pawan Kumar)
Addl Sessions Judge-06 (South)
Saket Courts/ New Delhi/04.08.2026