

CNR No:HRFB030018512026 CASE No:CHI-364-2026
STATE OF HARYANA Vs ANUJ GUPTA S/O DEVENDER GUPTA

FIR No. 59 dated 28.02.2025
Under-sections :318 (4), 61 (2), 238 of BNS,
Police Station : Cyber Crime, NIT, Faridabad.

Present: Shri Sunil Kumar, Ld. APP for the State
Shri Sarfraz Khan, Advocate for applicant-accused *Yash Sen*.

ORDER:

This order shall dispose of the 2nd bail application under section 480 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as BNSS, 2023*) moved on behalf of the applicant-accused namely, *Yash Sen*, for the commission of offence punishable under Sections 318 (4), 61 (2), 238 of Bharatiya Nyaya Sanhita, 2023 (*hereinafter referred to as BNS*), in case arising out of FIR No.59 dated 28.02.2026.

2. Reply to the bail application filed. Learned APP for the State argued that the allegations against the accused person are serious in nature and accordingly, he is not entitled for concession of bail. Accordingly, a prayer for dismissal of the bail application has been made.

3. Learned defence counsel on behalf of applicant-accused has argued that applicant-accused is innocent and been falsely implicated in the present case. Applicant-accused was arrested on 12.05.2026 and since then he is languishing in jail. It was further argued that nothing has been recovered from the applicant-accused. It was further argued that the applicant-accused has no concerned with the alleged offence. It was

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STATE OF HARYANA Vs ANUJ GUPTA S/O DEVENDER GUPTA

further argued that the challan has already been filed by the prosecution against the applicant-accused. He further argued that the trial of the case will take a long time to conclude. With these submission prayer was made to allow the present application.

4. *Per contra*, learned Assistant Public prosecutor has vehemently opposed the said application on the ground that the applicant-accused along with co-accused persons had played active role in defrauding the complainant with huge amount of money. There is specific role attributable to the applicant-accused and there is every likelihood that the accused might abscond from trial and tamper with the evidence in case, they are enlarged on bail. Therefore, it was prayed that keeping in view the seriousness and gravity of the offence in question. The bail application of applicant-accused be dismissed.

5. I have given thoughtful consideration to the arguments advanced by learned defence counsel and learned Assistant Public Prosecutor. Case file carefully perused.

6. It is the case of the prosecution that the present FIR case has been registered upon the complaint No.21302250007708 dated 13.02.2025, moved by complainant- Lokesh Goyal resident of H.No.B-1447, 11th Floor, Green Field Colony, NIT, Faridabad, received through portal, whereby the complainant has reported about the online cyber

fraud committed with him stating that he was introduced to a WhatsApp group named “A666 KKR Win Win Collaboration Group” and “A-71 KKR Collaboration Win Win Group” through Instagram & Facebook and in the group, he was approached by the person who represented himself as Arvind Dixit, CFA Financial Analyst, Partner of KKR Asia Pacific, along-with his assistant Mkukta Singh (contact No. 7568730356 who is represented to be based KKR India headquarter at “2nd Floor, Piramal Tower, Peninsula Corporate Park, Ganpatrao Kadam Road, Lower Parel (W) Mumbai, specifying CIN as u65191tn1989plc.017616. He further alleged that initially provided financial advice regarding stocks etc. and later on the fraudsters manipulated him into participating in fraudulent IPO allocations through an international KKR trading account which was opened through his Aadhar Card details and the same was linked to fake trading platform. He made the transfer of Rs.37.75 lakh to the fraudsters for the purpose of investment in the share market. In this manner, he realized that cyber fraud has been committed with him. He requested for taking legal action against the fraudsters. Upon this complaint, investigation was swung into motion and details of bank accounts and records of Telecom Companies were obtained in which the alleged amount was deposited. Applicant-accused was arrested and his disclosure statement was recorded. During investigation, it was revealed that the

applicant-accused has provided his bank account to co-accused Tushar for the purpose of committing cyber fraud and he has received 1.8 % of the defrauded amount in lieu of his commission. It has been submitted that the applicant-accused along-with co-accused persons, had committed act of well planned cyber fraud.

7. The on-line frauds are increasing day by day these days which is also causing loss to the national economy. The *Hon'ble Punjab & Haryana High Court in Sumit Nandwani Versus State of Haryana, 2024 Livelaw (P & H) 242 at para no.4 and 5* has observed that Cyber Crime has been affecting people across the Nation, irrespective of religion, region, education or class. Newspapers, Magazines, YouTube Channels, and social media are brimming with the ordeals of an unaccountable number of innocent victims of Cyber Crime, and these reports cannot be brushed aside as agendas. Leaving uncovered milk in a cattery and threatening cats with a cage will only boil the people's rage.

8. The Hon'ble Punjab & Haryana High Court, at Chandigarh, in *Sarafuddin Ayub Sheikh Versus State of Haryana, CRM-M-42544-2025, DOD 20.11.2025* has held that Cyber Fraud constitutes a sui generis transgression, demanding categorical exclusion from judicial indulgence in bail matters, given its capacity to erode public trust in the digital economy and destabilizes financial Eco-system. That Cyber Crime, by design, thrives on speed, deception and digital manipulation. Calling Cyber Fraud 'a

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STATE OF HARYANA Vs ANUJ GUPTA S/O DEVENDER GUPTA

contemporary felony that mandates denial of regular bail’, the Hon’ble Court stressed that judicial responses that are calibrated, firm and deterrent, resistant to the evolving ingenuity of offenders, were required.

9. The Hon’ble High Court of Punjab & Haryana in case titled **‘Neeraj Sharma Vs. State of Haryana’ 2026 PHHC 018804** has held that :-

“14. Cyber offences, particularly those involving inducement to invest through digital platforms, creation of fictitious online identities and siphoning of large amounts of money through structured banking channels, are required to be dealt with sternly. The increasing sophistication of such crimes poses a grave threat to public confidence in financial institutions and digital platforms and cannot be reduced to a matter of private settlement. In an era where commerce and governance are increasingly digitalized and interlinked, the ramifications of such offences extend beyond the immediate parties and may generate cascading consequences across sectors. The erosion of trust in financial systems and technological frameworks poses a serious threat to economic order and public welfare.....xxxxxx.

10. Since, complainant has been defrauded of Rs.37.75 lakh by the accused person along-with co-accused persons in a well planned cyber fraud. The investigation discloses specific role attributable to the accused-applicant. The accused stands booked under the provision of Sections 318 (4), 61 (2), 238 of BNS. The allegations are serious in nature. There is every likelihood of accused absconding from trial in case

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STATE OF HARYANA Vs ANUJ GUPTA S/O DEVENDER GUPTA

he is granted the concession of bail and might tamper with the evidence. Further, challan has filed, however, trial of the case is pending. In case, accused-applicant is granted the concession of bail, the might abscond from trial and tamper with evidence. Further, there are other 109 complaints have been registered against the said beneficiary bank account. Further, mere filing challan and long period of incarceration does not entitle the concession of bail to the applicant-accused. Therefore, under these circumstances, this Court is of the view that the applicant-accused is not entitled to grant concession of bail. Accordingly, 2nd bail application of applicant-accused ***Yash Sen*** stands ***dismissed.***

Ram Singh

Vandana Dhillon
JMFC, Faridabad, 15.07.2026
(UID NO. HR-0462)