

Date of institution	11.03.2026
Date of decision	23.03.2026



IN THE COURT OF 4TH ADDITIONAL SESSIONS JUDGE
AHMEDABAD (RURAL) AT NAVRANGPURA

CRIMINAL MISC. APPLICATION NO. 720 OF 2026

Applicant(s) :

Name	Aryan @ Lakhan S/o. Shobhrajbhai Josheta
Age	35 years,
Occupation	Service,
Address	B-302, Mukhyamantri Avas, Kulsar, Bhavnagar. Original Resident : Sant Kava Ram Chowk, Sindhi Camp, Bhavnagar. (At present in judicial custody)

V/s.

Respondent:
The State of Gujarat

Appearance (Learned Advocates):

For Applicant	Mr. D. M. Chauhan
For Opponent	Learned PP Mr. P. M. Trivedi

-: O R D E R :-

1. The present application has been filed on behalf of applicant-accused seeking regular bail in connection with FIR bearing **C.R.No.11192065250006/2025** registered with **Cyber Crime Police Station, Ahmedabad Division, Ahmedabad** for the offences punishable under **Sections**

316(5), 318(4), 340(2), 338, 61(2) of BNS coupled with Sections 66(C), 66(D) of the I.T.Act.

2. In nutshell the case of the prosecution is that some unknown persons under the pseudonyms name allured the complainant through social media and assured him of providing higher returns against his investment through trading in stock market. Further, the complainant was also issued fabricated letters of SEBI and, thereby, gained trust of the complainant and, thereafter, from 15.05.2025 to 07.07.2025, the complainant had invested a sum of Rs.83,50,000/-. Thereafter, the complainant was showed some profit and some amount was deducted from the said account in lieu of commission. Subsequently, the accused persons allotted some shares in the name of the complainant and, demanded a sum of Rs.3,75,95,000/- from him and when the complainant refused for payment of the aforesaid amount and asked for his money, the accused persons did not return the money and, thereby, defrauded him. Accordingly, an FIR was lodged against the accused persons and the present applicant-accused was arrested on 02.12.2025 and he is in custody upon completion of police remand period.

3. Ld. Advocate for the applicant-accused has vehemently argued that the applicant-accused has been falsely implicated in the present case by the investigating agency. It has been further submitted that the present applicant-accused has not received any monetary benefit out of the alleged transaction and he has not entered into any transaction with the complainant. It has been further submitted that only role attributed to the present applicant-accused is that he had gone to deliver the kits, however, the same was purely on the strength of friendship and not to defraud the complainant. It has been further submitted that the investigation has been concluded and the charge-sheet has been filed against the present applicant-accused and now custodial interrogation of the present applicant-accused is not required. It has been further submitted that the present applicant-accused is arrayed as an accused only on the basis of disclosure statement of another co-accused persons and he is not directly or indirectly involved in the commission of the offence. It has been further submitted that case of the prosecution rests upon documentary and electronic and documentary evidence, which are already in custody of the investigating agency. It has been further

submitted that trial of the case may take long time to conclude and keeping the present applicant-accused behind the bar would amount to pre-trial conviction and sentence. It has been further submitted that the present applicant-accused is not having any past criminal antecedents. It has been further submitted that present applicant-accused is residing at the address mentioned in the caption of this application and he is ready and willing to abide by all the conditions imposed upon him. With these submissions he has prayed that present bail application may be allowed.

4. On the contrary, Ld. PP for the State has vehemently opposed the present bail application on account of gravity and seriousness of the offence. He has submitted that defrauded amount of the complainant is yet to be recovered from the accused persons. He has further submitted that many other co-accused persons are still to be arrested. He has further submitted that two other criminal cases of similar nature are registered against the present applicant-accused and, therefore, he has prayed that the present bail application may be rejected.
5. I have heard the Ld. Advocates and perused the case file.

6. At the very outset it is worthwhile to mention here that the present applicant-accused obtained Kit as well as bank account access and signed cheques of co-accused Axay Jambuja and, thereby, thrice he had withdrawn an amount of Rs.4,75,000/-, Rs.4,78,000/- and Rs.4,75,000/- from Kotak Mahendra Bank, Bhavnagar Branch. From the affidavit filed by the IO, it appears that this amount is yet to be recovered from the present applicant-accused. Therefore, there is prime facie case made out against him. In the present case, total amount of fraud is valued in sum of Rs.83,50,000/-, which is yet to be recovered. From the record, it appears that accused persons including the present applicant-accused have systematically defrauded the complainant and other co-accused persons who are on run, are yet to be arrested. Moreover, apart from the present offence, two other offences of similar nature are also registered against the present applicant-accused, which shows he is a habitual offender. Although charge-sheet is submitted against the present applicant-accused, yet, considering the overall facts and circumstances of the present case and keeping in mind his past criminal antecedents, this Court is not inclined to exercise its

judicious discretion in favour of the present applicant-accused. Hence, following order is passed, in the interest of justice:-

:- ORDER :-

- The present application is hereby **rejected**.

Signed and pronounced in the open Court today i.e. on 23rd day of March, 2026 at Ahmedabad.

Date : 23.03.2026

Place: Ahmedabad

[Dipen Dilipkumar Buddhdev]
4th Additional Sessions Judge,
Ahmedabad (Rural) at Navrangpura.
UIC No.GJ00612.