

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. 721 OF 2026

Applicant(s) :

Name	Rahul S/o. Govindbhai Shravanbhai Gohel
Age	25 years,
Occupation	Service,
Address	House No.98, Om Nagar Van, Nasana Road, Kamrej, Surat. Original Resident : Near Primary School, Village Old Padar, Taluka Ghogha, District 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

-: ORDER :-

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 28.11.2025 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 had gone to deliver the kits at the instance of the co-accused who happens to be his friend. 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 one other criminal case of similar nature is 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 a sum of Rs.22,01,955/- derived through cyber crime was deposited in the bank account of the co-accused person

namely Axay Jambuja and the present applicant-accused obtained Kit and bank account access of the co-accused Axay Jambuja and, thereby, he had withdrawn an amount of Rs.4,75,000/-. From the affidavit filed by the IO, it also appears that the present applicant-accused had also facilitated the co-accused Axay in opening bank account with Kotak Mahendra Bank and he had also provided kits and details pertaining to bank accounts to other co-accused persons. Further, Rs.4,75,000/- encashed by the present applicant-accused 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, one other offence of similar nature is also registered against the present applicant-accused, which shows he is a habitual offender. Earlier, regular bail application preferred on behalf of the present applicant-accused bearing Criminal

Misc. Application No.3980 of 2025 was rejected by this Court on merits vide order dated 15.12.2025. Thereafter, the present applicant-accused had also preferred regular bail application before the Hon'ble High Court of Gujarat vide Criminal Misc. Application No.1024 of 2026, which was withdrawn by the Ld. Advocate for the applicant. Ld. Advocate for the applicant has submitted that charge-sheet is filed against the present applicant-accused, yet, merely filing of the charge-sheet does not amount to change in circumstances. Hence, 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.