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**IN THE COURT OF PRINCIPAL DISTRICT &
SESSIONS JUDGE, AHMEDABAD (RURAL)**

CRIMINAL MISC. APPLICATION NO. 1670 OF 2026

Exh.

APPLICANT/ACCUSED:

Arunbhai Virchandbhai Patel

Age: 53 yrs, Male, Occup: Farmer

Resi: Village Umedpur,

Tal: Modasa,

Dist: Aravalli.

(Presently in Sabarmati Jail)

V/s.

OPPONENT :

The State of Gujarat

through Ld. Public Prosecutor

District Court,

Ahmedabad (Rural).

Sub:Application under Section 483 of The Bhartiya Nagrik
Suraksha Sanhita, 2023 seeking **regular bail before
chargesheet.**

Appearance:

Mr.M.J. Patel, Learned Advocate for Applicant/accused.

*Mr.P.M.Trivedi, Learned Public Prosecutor for Opponent/The
State.*

-: J U D G M E N T :-

1. The applicant-accused has preferred this regular bail application u/s. 483 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred as 'BNSS') in connection with offence registered vide **C.R. No.11216004260357 of 2026** registered with **Dabhoda Police Station, Gandhinagar** for the offences punishable u/s 316(5), 318(4), 336(2), 336(3), 338, 340(2), 61(2) of The Bharatiya Nyaya Sanhita (hereinafter referred as 'BNS'), Section 3 of The Gujarat Protection of Interest of Depositors (In Financial Establishment) Act, 2003 and Sec.21 and 23 of The Banning of Unregulated Deposit Scheme Act (in short BUDS Act), seeking **regular bail before chargesheet**.

2. Learned Advocate Mr.M.J. Patel appearing on behalf of the applicant/accused submits that the applicant is innocent and has not committed any offence as alleged. It is submitted that applicant is neither Director of Shoot Space Digital Pvt. Ltd nor Harry Hospitalities and Lizer Limited but he is shown as accused as he is Director in Cloudegry Technology Ltd and running in same premises. No investment came to be taken in Cloudegry Technology Ltd. Applicant remained Director upto 10/10/2025 and thereafter resigned as Director. There is no allegation against applicant of giving any assurance of investment scheme nor has received any monetary benefit.

2.1 The applicant has also invested amount and purchased Tera Bites from Shoot Space Digital Pvt. Ltd company, so he is victim like complainant and has not received rent from April

2026. All transactions are with Shoot Space Digital Pvt. Ltd and not with other company wherein applicant is shown as Director, so GPID Act would not be applicable. Looking to provision of GPID Act maximum punishment is upto 7 years. Applicant never remained as an employee of Shoot Space Digital Pvt. Ltd. There is nothing to show that applicant was employee of Shoot Space Digital Pvt. Ltd. There is agreement between investor and the company and same is rent agreement as monthly rent against their space of Terabytes they get, so this is a civil nature of dispute and not covered under cheating, breach of trust or even GPID Act.

2.2 It is submitted that applicant accused has no antecedents. Nothing came out during his remand. Case is based on documentary evidence and personal presence of applicant is not required. Applicant is permanent resident of Gujarat Applicant is sole bread winner of his family. It is submitted that the applicant will abide by any stringent conditions that may be imposed upon while exercising discretion in his favour and the applicant is not likely to tamper the evidence and coerce and/or influence the witnesses. It is accordingly urged to allow present application.

3. Learned Public Prosecutor Mr.P.M.Trivedi appearing on behalf of the opponent - State has opposed the grant of regular bail to the applicant. He submits that applicant is charged for the offence u/s 316(5), 318(4), 336(2), 336(3), 338, 340(2), 61(2) of 'BNS', Section 3 of GPID and Sec.21 and 23 of BUDS Act. As per the prosecution case the accused persons hatching criminal conspiracy to cheat public got registered company Shoot Space

Digital Pvt. Ltd. and its office in Gift City, Infocity despite having no set up of required servers for computer data storage. They falsely advertised company's operation and profit details and made lucrative offer to attract people to invest in their company and promised fixed rent to those purchasing space through their company. They executed digital agreements and made false written commitments to pay rental amount for tenure of 84 months. To secure money collected for allotting terabyte space to investors, they generated fake invoice bills as valuable securities, used them as genuine and obtained funds. They transferred investors' funds into companies established by them named CloudG Technology Ltd and Herry Hospitals and Leisure Limited with intention of siphoning it off. Taking individuals into confidence, they induced the public to invest by offering higher profit in form of rent and temptation to complainant and his family members of foreign trips for investment. The complainant and his family made investment of Rs.32,75,680 in Shoot Space Digital Pvt. Ltd. for total 84 Terabyte space and executed an agreement for same and was paid Rs.20,67,606/- as rent and commission from February 2025 to March 2026 and thereafter stopped paying rent/returns. In the same way they collected Rs.4,90,06,506/- of 12 witnesses and other crores of rupees investment of the people living in different cities promising secured rent as returns on investment and ultimately failed to pay the same and thereby committed breach of trust and cheating. They embezzled money invested by public and transferred the amount into other companies and thereby committed the offence.

3.1 It is submitted that statement of 95 witnesses / investors are taken and there appears 261 victims whose money/investment to the tune of Rs.19,77,78,000/- is involved. Applicant/accused has received monetary gain in 3 ways from Shoot Space Digital Pvt. Ltd. during financial year 2023-24 to 2025-26 like Rent on Tarabyte cloud, salary and other expenses. Applicant/accused has received salary of Rs.1 lakh during the said financial year from Shoot Space Digital Pvt. Ltd.. Credit/debit vouchers are made in the name of applicant to the tune of Rs.14,13,340/- in Shoot Space Digital Pvt. Ltd. from 1/4/2023 to 31/3/2024.

3.2 It is submitted that applicant/accused was Director of CloudG Technology Pvt. Ltd and had remained as Director in Shoot Space Digital Pvt. Ltd. Both the companies are involved with each other and are registered on the same address. Rs.1,60,50,000/- are transferred from Shoot Space Digital Pvt. Ltd. to CloudG company.

3.3 It is submitted that Shoot Space Digital Pvt. Ltd., CloudG Technology Pvt. Ltd and Herry Hospitals and Leisure Limited were registered on different times and applicant/accused and other accused had remained as Director in the said companies. They are shown as Director of different companies but are involved in the conspiracy. Applicant/accused had worked in Shoot Space Digital Pvt. Ltd., and was present in 2nd and 3rd annual ceremony and had given speech to lure and attract the investors.

3.4 It is submitted that various IDs were generated in the name

of investors and got amount invested in the company under the pretext that they will be get handsome rent and returns and investigation in that direction is going on. The accused persons had also opened offices in different states and obtained investment / money and thereafter have closed the offices. Investigation is going on and if the applicant-accused is enlarged on bail, he is likely to hamper or tamper the prosecution evidence and influence and/or coerce the complainant and witnesses of the case Learned Public Prosecutor has placed reliance on the affidavit filed by the I.O. vide Exh.6 and has urged to reject the present application.

4. Heard the learned Advocates for the respective parties. The Court has gone through the bail application, documents annexed with it, judgment relied on, affidavit of the I.O. and record of the case. It is clarified that the observations made by this Court are prima facie and tentative in nature and is confined for deciding this bail application and it will have no relevance during the trial. Following factors are taken into consideration while deciding this bail application:-

- i) The applicant is charged for the offence under Section 316(2), 316(5), 61(2), 3(5) of The BNS & Section 3 of The GPID Act.
- ii) As per the prosecution case, the accused persons hatched criminal conspiracy among themselves whereby the accused no.1 and 2 had formed Shoot Space Digital Pvt. Ltd. company and in connivance with other co-accused persons had opened office at Infocity and Gift City stating

that data storage servers have been placed at those offices. The accused persons to attract investors had widely published that Shoot Space Digital Pvt. Ltd. company is having huge profit and had offered scheme that whoever purchases the space (digital) in the company will be given regular and assured rent and thereby induced various investors to make investment in Shoot Space Digital Pvt. Ltd., and had created digital documents that they will be paid rent amount upto 84 months and had also created forged invoices / bills towards securities knowing fully well that those documents are forged one and collected amount of Rs.4,90,06,506/- from various persons of different cities and after collecting huge amount, the invested money was transferred into various companies formed by accused persons and thereafter they have closed the offices and thereby accused persons have committed the offence as stated in the FIR.

- iii) The applicant-Arunbhai Virchandbhai Patel is named as accused no.3 in the FIR.
- iv) It prima-facie reveals from the case papers and affidavit filed by the I.O. that applicant has gained money in the name of rent amount, salary and other expenses from Shoot Space Digital Pvt. Ltd. The Accounts of Shoot Space Digital Pvt. Ltd., would reveal that applicant was paid monthly Rs.1 lakh and after deducting TDS, an amount of Rs.92,750/- was paid to the applicant. The applicant has received an amount of Rs.14,13,340/- under the head of expenses. The applicant is Director of CloudG Technology

Pvt. Ltd. and the said company is associated with Shoot Space Digital Pvt. Ltd., wherein accused no.1 is Director and address of both these companies, as per the memorandum and registration of companies, is of Gift City. Investigation prima-facie reveals that Rs.1,60,50,000/- is transferred from Shoot Space Digital Pvt. Ltd. company into CloudG Technology Pvt. Ltd. company wherein applicant is Director.

- v) It is stated by the prosecution that initially an amount of Rs.4,90,06,506/- was stated to be duped which was invested by complainant and witnesses mentioned in the FIR. During the course of investigation statements of 95 witnesses have been recorded and it has revealed that in total 261 persons are victim of financial fraud and considering 5028 Terabyte and IPO investment, an amount of Rs.19,77,78,000/- is stated to be the amount for which the victims are cheated/duped.
- vi) Investigation also reveals that various IDs were generated in the name of investors and got amount invested in the company under the pretext that they will be get handsome rent and returns, however, required server for data storage were not formed by accused persons and the money was collected from victims with an intention to dupe them.
- vii) Having considered that initially there were few persons who were stated to be duped by accused persons and during the course of investigation about 95 witnesses have given their statement about they been made victims by accused persons and apprehension of the investigating

agency that more victims are likely to come up and investigation is at crucial stage, this Court do not deem it fit to exercise its discretion in favour of the applicant/accused.

5. In view of facts and circumstances noted herein above, considering the nature and seriousness of the offence & prima-facie involvement of the applicant/accused as revealing from the case papers and investigation is going on, this Court is not inclined to exercise discretion in favour of the applicant – accused and accordingly following order is passed.

:- ORDER :-

1. The regular bail application of applicant - accused is **rejected.**

Copy of this order be sent to concerned Jail Authority to convey the same to the applicant.

Pronounced and signed in the open court today.

Date : 18/6/2026
Place:Ahmedabad

(Kamal M. Sojitra)
Principal District & Sessions Judge
&
Designated Special Judge (GPID)
Ahmedabad (Rural)
U.I.Code No.GJ01494