



सत्यमेव जयते

IN THE COURT OF HON'BLE ADDITIONAL DISTRICT
AND SESSIONS JUDGE, COURT No:03, AT: DAHOD.

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CRIMINAL MISC. APPLICATION NO. 577 OF 2026.

Applicant :

1. Hardik Nileshbhai Bhaskar,

Aged : 28 years, Occupation : Business,
Residing at : Rajkot.

(At present accused in judicial custody @
Sub-Jail, Dahod)

Versus**Opponent :**

1. The State of Gujarat

FOR Applicant : Ld. Ad. Ms. D.S. Rathod.
FOR Respondent : Ld. DGP Mr. A.K. Parikh.

Order below Regular Bail Application

[1] The present application has been preferred by the applicant-accused seeking regular bail for the alleged commission of the offence registered at Dahod Cyber Crime PS, Dahod vide CR No:11821021260001/2026 u/s 316(2), 318(4), 61(2) of BNS and u/s 66(c), 66(d) of the IT Act.

[2] In brief, the allegations against the applicant-accused as per the complaint are such that, the accused person indulged in cyber fraud and defrauded the complainant with Rs.32,10,845/- by luring complainant who is retired person having age of 60-years with higher rewards and profit and also made complainant to download certain application (WISH ONLINE SHOPPING APP) and made him to deposit huge amount and shown false and fabricated profit online.

Hence, the FIR to that effect came to be registered under above mentioned sections.

[3] Learned advocate for the accused-applicant has stated that the accused has not committed any alleged offence. Further, it is submitted that the accused-applicant is falsely implicated in the alleged offence. Subsequently, there is no prima facie case against the applicant. It is submitted that the applicant is permanently residing at the given address and he had not committed the alleged offence. He further stated that, if the applicant would be released on bail, then he is not likely to abscond as he has roots in the society. Therefore, it has been urged to release applicant on regular bail.

[4] The Ld. DGP appearing for the State has

strongly opposed the present bail application and submitted that, present applicant-accused has played an active in commissioning and execution of the crime and defrauded the complainant with Rs.32,10,845/- by luring complainant who is retired person having age of 60-years with higher rewards and profit and also made complainant to download certain application (WISH ONLINE SHOPPING APP) and made him to deposit huge amount and shown false and fabricated profit online. Applicant has received proceeds of crime and gained financial benefits. He further stated that, as per the affidavit of the IO, it reveals that, applicant remained on run for two months after filing of the FIR. Id. DGP has prayed to reject the bail

application.

[5] I have heard the rival submissions of the Learned Advocate for the applicant as well as Learned APP for the State and perused the entire record alongwith affidavit of the I.O. and police papers.

[5.1] It reveals from the police papers that, present applicant-accused has played an active in the orchestrating and executing the crime and duped the complainant with his hard earned huge money and complainant is retired person aged:60-years. It also reveals that, the investigation qua the role of the applicant in the commission of the crime is in its crucial stage.

Thus, the applicant is one of the beneficiaries of the proceeds of crime. It

also transpires that, applicant-accused has not co-operated with the investigation from the initial stages and remained absconded for two months.

[6] Present accused-applicant arrested and produced before learned JMFC Court and at present, he is in judicial custody.

This court herein refers the judgment of the Hon'ble Apex court in SLP(Cri) No:19708/2025; Rakesh Mittal Vs Ajay Pal Gupata; Order Dt:17-02-2026 [Coram:Hon'ble Mr. Justice Sanjay Kumar and Hon'ble Mr. Justice K. Vinod Chandran saheb], the relevant para:19 is as under;

19. Though the observations made in some of the above cases were in the context of heinous offences, which is not the case presently, we may note that the value of life and liberty of members of society is not limited only to their 'person' but would also extend to the

quality of their life, including their economic well-being. In offences of a pecuniary nature, where innocent people are cheated of their hard-earned monies by conmen, who make it their life's pursuit to exploit and feast upon the gullibility of others, the aforestated factors must necessarily be weighed while dealing with the alleged offenders' pleas for grant of bail.

Considering the role of the the applicant, if the bail granted to the applicant-accused then there will be adverse impact upon the trial and the public interest also would suffer as a consequence. As per the record, considering the nature of crime, this court opt to refrain from exercising its judicial discretion regarding releasing applicant on bail. Considering the same, it can be said that the applicant if released on bail, may try to tamper or hamper with evidences or may try to influence the witnesses and

record.

Considering the facts as discussed above, the present application does not appear to be fit to exercise the discretion in favour of the applicant to release him on bail. Accordingly, the following order is passed.

:: O R D E R ::

[1] The application filed by the applicant-accused [1] Hardik Nileshbhai Bhaskar, for regular bail is hereby rejected.

Pronounced and declared in open Court on this 29th day of June, 2026.

Place: Dahod.
Dt:29-06-2026

[Sandipsinh G. Dodiya]
UIC No:GJ00902
3rd Addl. District & Sessions Judge,
Dahod.