

06.07.2026

Present : Sh. Mukul Kumar, Ld. Addl. PP for the state.
Sh. Rahul Rai, Ld. Counsel for the complainant with
complainant Sh. Thakur Prasad Mina in person.
Sh. Ayush Tiwari, Ld. Counsel for the accused.

ORDER ON THIRD REGULAR BAIL APPLICATION U/S 483 BNSS

1. BRIEF

1.1. The present third regular bail application under Section 483 BNSS has been filed by applicant Md. Shuaib, who is in judicial custody since 23.01.2026, seeking regular bail in FIR No. 07/2025 dated 04.06.2025, PS Special Cell, registered under Sections 318(4), 319 and 61(2) BNS.

1.2. The prosecution case is that complainant Sh. Thakur Prasad Mina was induced through an online investment application styled "Abbott Manage" to invest approximately ₹97 lakhs in the name of purchase of shares/IPO. During investigation, it was alleged that the applicant was part of an organised cyber fraud syndicate and acted as an account operator by collecting KYC documents, SIM cards, installing APK files and facilitating fraudulent transactions. Supplementary charge-sheet has already been filed and investigation qua the applicant stands substantially completed. The applicant has remained in custody since 23.01.2026. Earlier bail

applications filed by the applicant were dismissed by the concerned Courts.

2. ARGUMENTS OF LD. COUNSEL FOR THE ACCUSED

2.1. Learned counsel for the applicant submits that the applicant is innocent, has been falsely implicated and has no criminal antecedents except the present case. It is argued that the investigation qua the applicant is complete, supplementary charge-sheet has already been filed and his further incarceration serves no useful purpose.

2.2. It is further submitted that during the pendency of the present application, the parties have amicably resolved their dispute. The complainant has voluntarily entered into a settlement with the applicant and has received ₹1,00,000/- through demand draft in full and final settlement. The complainant has appeared before this Court and has categorically stated that he has no objection if bail is granted to the applicant. Learned counsel submits that the applicant undertakes to abide by all conditions imposed by this Court, shall not influence any witness or tamper with evidence and shall appear before the Trial Court as and when required.

3. ARGUMENTS ON BEHALF OF STATE

3.1. Learned Addl. PP for the State opposes the application on the ground that the allegations pertain to a serious organised cyber fraud involving substantial financial loss. It is submitted that during investigation, the applicant was found to have actively participated in operation of mule bank accounts, collection of KYC

documents, handling SIM cards and execution of fraudulent online transactions. The prosecution relies upon CDR analysis, disclosure statements, electronic evidence and recoveries effected during investigation. It is further submitted that the applicant's earlier bail applications have already been rejected.

4. OBSERVATIONS OF THE COURT

4.1. I have heard learned counsel for the applicant and learned Addl. PP for the State and have perused the material placed on record.

4.2. The allegations against the applicant undoubtedly relate to an organised cyber fraud involving a substantial amount. However, it is equally relevant that the applicant has remained in judicial custody since 23.01.2026 and supplementary charge-sheet against him has already been filed. Therefore, custodial interrogation of the applicant is no longer required.

4.3. The record further reveals that during the pendency of the present application, the complainant has voluntarily settled the dispute with the applicant. The complainant has appeared before this Court and made a statement that he has received the settled amount of ₹1,00,000/- through demand draft and has no objection if the applicant is released on bail. Nothing has been brought on record to suggest that the settlement was not voluntary.

4.4. Without commenting upon the merits of the prosecution case, considering the period of custody undergone by the applicant, the stage of investigation, filing of supplementary charge-sheet, the voluntary settlement arrived at between the parties and the

statement of the complainant recorded before this Court, this Court is of the opinion that further incarceration of the applicant is not warranted. Appropriate conditions can sufficiently safeguard the interests of justice.

5. FINAL ORDER

5.1. Accordingly, the present third regular bail application under Section 483 BNSS is **allowed**.

5.2. The applicant Md. Shuaib shall be released on bail on furnishing a personal bond in the sum of ₹15,000/- with one surety in the like amount to the satisfaction of the learned Trial Court/Duty Magistrate, subject to the following conditions:

- a) The applicant shall appear before the Trial Court on each and every date of hearing unless exempted.
- b) The applicant shall not directly or indirectly contact, influence or intimidate any prosecution witness.
- c) The applicant shall not tamper with the prosecution evidence.
- d) The applicant shall furnish his mobile number and residential address to the Investigating Officer and shall keep the same operational at all times.
- e) The applicant shall not leave the country without prior permission of the Trial Court.

5.3. In case the applicant is found involved in any similar offence or violates any of the above conditions, the State shall be at liberty to seek cancellation of bail.

5.4. Copy of the order be given dasti.

(SAURABH PARTAP SINGH LALER)
ASJ-05/New Delhi District
PHC / New Delhi / 06.07.2026