

Bail Matters 881/2026 STATE Vs. ASHWANI KUMAR @
TUSHAR 85/2026 (Saket)

09.06.2026

Matter taken up in physical court as well as through video conferencing in terms of order No. 2551/DHC/Gaz/G2/2022 dated 11.05.2022 of Hon'ble High Court of Delhi.

Present: Sh. Mukul Kumar, Ld. APP for State.

Sh. S. Shashi Bhushan, ld. counsel for accused.

IO SI Karan through VC.

This is the second application for grant of bail to accused Ashwani Kumar @ Tushar S/o Sh. Uday Chand u/s 480 BNSS.

Reply filed. Copy supplied.

Ld. counsel for the accused submits that after the filing of the charge-sheet, this is the first bail application for the accused. It is submitted that as investigation is complete, no purpose shall be served by detaining the accused in custody any longer. It is further asserted by ld. counsel that accused has clean antecedents. It is thus prayed that the accused be admitted to bail. Ld. counsel submits that in the event of release on bail, the accused shall furnish a sound surety and shall abide by all conditions imposed upon him by the Court.

Per contra, Ld. APP for the State has vehemently opposed the application on the ground that the allegations against the accused are serious. It is submitted that accused Ashwani Kumar @ Tushar and co-accused Neeraj Gupta, Reetu Kumari and Sandeep are partners in a firm by the name of Herbitecture Healthcare. It is alleged that the accused persons were running paid advertisements on social media platforms such as Instagram and Facebook, promoting purported weight-loss products and cheating victims on false pretext of supplying weight-loss ayurvedic

medicines to them.

It is further submitted that the accused and his accomplices had adopted different modus operandi to cheat victims. In some cases, victims were informed that the money paid by them had not been credited to the accused persons and that if any amount had been debited from their accounts, the same would be reversed. On such pretext, victims were induced to make repeated payments, while no product was supplied to them. In other cases, victims were deliberately sent wrong products and were repeatedly induced to make further payments.

Ld. APP submits that the gravity of the offence alleged against the accused is evident in the fact that in conspiracy with co-accused, he cheated not one, but numerous victims.

Heard. Record perused. Considered.

The offences alleged against the accused, being economic offences involving multiple victims, are serious in nature. The modus operandi in which the offences appear to have been committed, affecting several victims, prima facie suggests a systematic scheme of targeting the public at large rather than a case involving a solitary complainant. Besides the initial complainant, several other victims have surfaced during investigation. Offences alleged against the accused are grave. However, this fact is to be balanced with the fact that investigation in the case is complete, and charge sheet has already been filed. While the IO has stated in the charge-sheet that further investigation is pending, the same is seen to be limited only to obtaining the report from FSL, pertaining to the mobile phones seized during investigation of the case. Further custodial detention of the accused does not seem to be required for the purpose of any investigation. Accused has clean antecedents. Further, he has spent considerable time in custody. Bare perusal of charge sheet reveals that prosecution has cited as many as 15

witnesses to be examined. Trial has not even commenced yet, and is likely to take a long time to conclude. Further, co-accused Reetu Kumari, whose role is stated to be similar to that of accused Sandeep, has already been admitted to anticipatory bail by Id. Sessions Court vide order dated 19.05.2026. Co-accused Sandeep has also been admitted to bail by this court. On the ground of parity as well, the application instant deserves to be allowed. As such therefore, the instant application is allowed, and the accused is admitted to bail subject to furnishing of PB and SB to the tune of Rs.20,000/-, and further subject to the condition that the accused shall appear in court regularly on each date of hearing, shall not commit any other offence of similar nature, shall not contact the witnesses in any manner and shall desist from doing anything which may hamper the due process of law.

Bail bonds not furnished.

Application stands disposed of accordingly.

Copy be given *dasti* to Id. counsel for the accused.

(Medha Arya)
ACJM/South District
New Delhi/09.06.2026