**Bail Application No. 1029 /2026**
**STATE Vs. PUMBHADIYA SHAIVIN GIRDHAR BHAI**
**(APPLICANT: PRASHANT DHARMA)**
**FIR No. 538/2024**
**U/s 318/319/61(2) BNS**
**PS Special Cell**

08.05.2026
Present : Sh. Mukul Kumar, Ld. Addl. PP for the state.
Ms. Alya Veronica, Ld. Counsel for the applicant / accused.
Sh. Prem Singh and Sh. Sandeep Singh, Ld. Counsel for the complainant along with complainant.

**ORDER ON APPLICATION SEEKING REGULAR BAIL ON BEHALF OF THE ACCUSED / APPLICANT**

1. **BRIEF:**

1.1. The present application has been moved on behalf of applicant/accused Prashant Dharma seeking regular bail in FIR No. 538/2024 dated 27.11.2024 registered under Sections 318/319/61(2) BNS at PS Special Cell, New Delhi.

1.2. The prosecution case, in brief, is that the complainant Arun Kumar Jain was induced through WhatsApp-based investment groups on the false promise of high returns through online trading and investment schemes. Acting upon such inducement, the complainant transferred an amount of Rs. 18,84,00,000/- into multiple bank accounts allegedly operated by members of an organized cyber fraud syndicate.

1.3. During investigation, it was allegedly revealed that the cheated amount was routed through various beneficiary accounts in a layered manner for concealment and dissipation of proceeds of crime. Investigation further revealed that an amount of Rs. 30,00,000/- out of the cheated funds was credited on 21.10.2024 into UCO Bank Account No. 02460210002230 maintained in the name of "Prashant Property Brokers", Neemuch, Madhya Pradesh, allegedly operated by the present accused using his own Aadhaar Card, PAN Card, mobile number and personal credentials.

1.4. It is further alleged that immediately upon receipt of the said amount, the accused transferred the entire amount through seven successive transactions into multiple bank accounts, thereby facilitating rapid layering and concealment of proceeds of crime. During further investigation, another NCRP complaint from Bangalore City, Karnataka involving approximately Rs. 19,00,000/- was also found connected with the same account of the accused.

1.5. The prosecution further alleges that the accused knowingly provided and operated the aforesaid account for receiving and routing cheated money generated through cyber fraud activities. It is stated that notices under Section 35(3) BNSS were issued to the accused, however, despite service of notices, he deliberately failed to cooperate with investigation.

1.6. The chargesheet has already been filed before the concerned Court and the matter is presently at the stage of consideration on charge.

2. **ARGUMENTS OF LD. COUNSEL FOR THE ACCUSED:**

2.1. Ld. Counsel for the applicant submits that the applicant has been falsely implicated and is innocent. It is argued that the applicant is seeking bail on the grounds of parity and medical condition.

2.2. It is submitted that several co-accused persons similarly situated have already been granted bail and the applicant deserves parity. Ld. Counsel submits that the applicant was earlier granted interim bail on humanitarian grounds owing to the serious illness and eventual demise of his mother and he duly surrendered before the Court after expiry of interim bail, thereby showing bona fides and respect for the process of law.

2.3. It is further submitted that the accused is suffering from severe medical ailments and physical disabilities. The applicant allegedly has a fracture in the hipbone, has undergone orthopedic surgeries with permanent rods inserted in both knees, suffers from partial bilateral hearing loss and has recently been diagnosed with Tuberculosis. It is argued that adequate treatment and hygienic conditions may not be available in judicial custody.

2.4. Ld. Counsel further submits that no incriminating recovery has been effected from the direct possession of the accused and the prosecution case is primarily based upon documentary evidence such as bank records, KYC documents and electronic evidence which are already in possession of the prosecution. Therefore, there is no likelihood of tampering with evidence.

2.5. It is also submitted that the accused is the sole bread earner of his family and has dependent wife and minor children. Ld. Counsel argues that the applicant has deep roots in society, is not a habitual offender and there are no previous criminal antecedents against him.

2.6. It is lastly submitted that since the chargesheet has already been filed, no fruitful purpose would be served by continued incarceration of the applicant.

3. **ARGUMENTS ON BEHALF OF STATE:**

3.1. Ld. Addl. PP for the State has vehemently opposed the present bail application and submitted that the allegations pertain to organized cyber fraud involving a cheated amount of approximately Rs. 18.84 crores.

3.2. It is submitted that investigation conclusively established through bank records, KYC documents, account opening forms, money trail analysis and NCRP data that the bank account in the name of “Prashant Property Brokers” was opened and operated by the accused using his own credentials and was knowingly used for routing proceeds of cyber fraud.

3.3. Ld. Addl. PP submits that an amount of Rs. 30,00,000/- was credited into the said account and was immediately dissipated through seven successive transactions into multiple accounts, thereby facilitating layering and concealment of proceeds of crime. It is further submitted that another cyber fraud complaint involving approximately Rs. 19,00,000/- was also connected with the same account, demonstrating repeated involvement of the accused in cyber fraud operations.

3.4. It is further argued that notices under Section 35(3) BNSS were served upon the accused, however, he deliberately avoided investigation. During investigation, the accused was allegedly found in regular contact with co-accused persons through WhatsApp and other digital platforms. WhatsApp chats, bank transaction details, QR code details, PAN card copies and other electronic evidence were allegedly recovered linking the accused with the offence.

3.5. Ld. Addl. PP further submits that during custodial interrogation, the accused disclosed that he had knowingly allowed his account to be used for routing cheated funds in exchange for monetary commission. One mobile phone of the accused containing incriminating material was also seized during investigation.

3.6. It is argued that the offence is grave and serious in nature, involving organized cyber fraud affecting public confidence in digital financial systems. There exists every likelihood that the accused may tamper with evidence, influence witnesses or evade trial if enlarged on bail.

3.7. The complainant Arun Kumar Jain is also present in Court and has opposed the bail application. He submits that he was cheated of a huge amount through organized cyber fraud and that the accused played an active role in routing and concealing the cheated money. He further submits that releasing the accused on bail may adversely affect further proceedings and identification of other co-conspirators.

3.8. Accordingly, dismissal of the present bail application has been prayed for.

4. **<u>OBSERVATIONS OF THE COURT:</u>**

4.1. I have heard the submissions advanced by Ld. Counsel for the applicant, Ld. Addl. PP for the State as well as the complainant present in person and have carefully perused the material available on record.

4.2. The allegations against the applicant are grave and serious in nature and pertain to organized cyber fraud involving an amount of approximately Rs. 18.84 crores. Economic offences involving cyber fraud and money laundering have deep-rooted conspiracies and serious repercussions upon public confidence in financial systems and, therefore, are required to be viewed seriously.

4.3. The material collected during investigation prima facie reveals that the bank account in the name of "Prashant Property Brokers" was opened and operated by the accused using his own credentials. Investigation further reveals that Rs. 30,00,000/- of cheated funds were credited into the said account and the amount was immediately transferred through multiple successive transactions. The investigation also reveals linkage of another cyber fraud complaint involving approximately Rs. 19,00,000/- with the same account.

4.4. The record further reflects that notices under Section 35(3) BNSS were issued to the accused, however, he failed to cooperate with investigation. The prosecution has also relied upon WhatsApp chats, bank records, electronic evidence and disclosure statements allegedly establishing conscious involvement of the accused.

4.5. Though the accused has sought bail on medical grounds, the medical condition of the accused by itself cannot outweigh the gravity of allegations at this stage, particularly when adequate medical treatment can be ensured through jail authorities in accordance with law. The plea of parity is also not available to the applicant at this stage inasmuch as the role attributed to him appears distinct and specific from the material presently available on record.

4.6. The contention that the chargesheet has been filed also does not entitle the accused to bail as a matter of right considering the seriousness of allegations, magnitude of cheated amount, organized nature of offence and the active role attributed to the accused in routing and layering the cheated funds.

4.7. At this stage, this Court cannot ignore the possibility of tampering with evidence, influencing witnesses or evasion of trial, especially when the investigation involves tracing of financial transactions and involvement of multiple accused persons situated in different States.

4.8. Accordingly, having regard to the overall facts and circumstances of the case, nature and gravity of allegations, magnitude of cheated amount and role attributed to the applicant, this Court is not inclined to grant regular bail to the applicant at this stage.

5. **FINAL ORDER:**

5.1. In view of the aforesaid discussion, the present regular bail application filed on behalf of applicant/accused Prashant Dharma stands **dismissed**.

5.2. Nothing stated herein shall tantamount to an expression on the merits of the case.

5.3. Copy of this order be given dasti to the applicant/accused and copy thereof be sent to the SHO/IO concerned for information.

SAURABH PARTAP SINGH LALER Digitally signed by SAURABH PARTAP SINGH LALER Date: 2026.05.08 17:41:14 +0530

**(SAURABH PARTAP SINGH LALER)**
**ASJ-05/New Delhi District**
**PHC / New Delhi /08.05.2026**