Bail Matters No. 1614/2026
STATE Vs. SANJAY
FIR No. 00049/2025
PS: Cyber Police Station

01.08.2026

Present: Sh. Naresh Choudhary, Ld. Addl. PP for the State.

Sh. Swaraj Maurya, Ld. Counsel for the applicant/accused.

This is the application for seeking regular bail under Section 483 BNSS moved on behalf of the applicant/accused ***Sanjay***.

Reply to bail application has already been filed by IO.

Arguments heard. Record perused.

01. The facts of the case in brief as taken note from the reply of the IO are that,

> '*That a complaint was received from Sh. Harpreet Singh Sethi, S/o Sh. Manohar Singh Sethi, R/o D-312, Defence Colony, New Delhi, who was a victim of an online financial fraud amounting to ₹14,33,000/-. The fraud was committed on the false pretext of investment in the stock market, whereby an amount of ₹14,33,000/- was fraudulently transferred from his bank account to multiple bank accounts. During the commission of the offence, the accused used forged documents and electronic records, presenting them as genuine. The complainant lodged his complaint online through the National Cybercrime Reporting Portal (NCRP). Consequently, E-FIR No. 00049/2025 was registered under Sections 318(4)/319/340 of the Bharatiya Nyaya Sanhita (BNS), and investigation was taken up.*
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> *During the course of investigation, it was found that out of the total cheated amount of Rs 14,33,000, one transaction of Rs 18,000/- was credited in Utkarsh Small Finance Bank Account No. 1501020000000788 which was found in the MS Matrisang Timber (OPC) Private Limited name of directors namely Sanjay S/o Kailash Nath, R/o Village & Post Jahagirabad, District Sitapur, Uttar Pradesh. There after a notice under Section 35(3) BNSS was sent to the accused*

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through speed post, directing him to join the investigation on 03.02.2026 in Cyber police station in South New Delhi. Came to the police station and join the investigation; however, he did not cooperate and was thereafter interrogated at length. During interrogation, it was revealed that funds from his Utkarsh Small Finance Bank account were transferred to other bank accounts, regarding which the accused failed to provide any information and was found attempting to shield the beneficiaries. The accused further admitted that he later came to know that money related to cheating/fraud was being deposited into the said bank account; despite such knowledge, he continued to receive cash from the said person from time to time.'

02. It is argued on behalf of applicant/accused that the applicant has been in custody since 03.02.2026. It is submitted that the applicant is an innocent account holder, whose account has been misused by cyber criminals. It is further argued that applicant is an illiterate and his signature were misused to open the bank account by some other persons and he was not aware about the alleged transactions in his bank account. It is further submitted that investigation qua accused is complete and no fruitful purpose would be served by keeping the accused in custody. It is further submitted that this case is based upon documentary and electronic record and no fruitful purpose would be served by keeping the accused in custody. The Ld. Counsel for the applicant undertakes that the applicant shall abide by the conditions imposed by the court.

03. Per contra, Ld. Addl PP strongly opposed the bail application on the ground that the allegations against the applicant/accused are grave and serious in nature. It is further submitted that large number of complaints of cyber frauds were recorded on the account number of the applicant and these complaints are PAN India. It is further argued that investigation in this case is very complex and is at the very initial stage.

04. While deciding an application for regular bail, the court has to keep in mind the nature of accusation, the nature of evidence in support thereof, the severity of the punishment, the antecedents of the accused, reasonable possibility of securing the presence of the accused in the trial, apprehension of tampering of evidence etc.

05. The incidents of cyber frauds/cyber crimes are being reported at the alarming pace. The cases of cyber frauds involving bank accounts have been cheating large number of public persons and depriving them of their hard earned money. The innocent public persons have been defrauded regularly by the cyber criminals.

06. In case of cyber frauds, victims appears to be individual but large number of public persons are directly or indirectly affected. Cyber crime has broader implications affecting the economy of the country. The increasing cyber crime creates distrust in the public for banks. The doubt appears in mind of public regarding their savings in the banks. The banking system is backbone of economy of any country. Therefore, the accused persons of cyber crime should be dealt differently.

07. In the instant case, a senior citizen was dishonestly induced to part Rs. 14,33,000/- in the name of investment in the stock market. Out of the cheated amount, Rs. 18,000/- was credited in the account, in the name of a Pvt. Ltd. Company and applicant was shown as Director. The account in question was found reported 12 times on NCRP portal. The bank statement revealed that a total Rs. 51,80,093/- was credited in his account and subsequently, it was transferred to other account. It is reported by the IO, that the accused had not co-operated in the investigation and misleaded by changing his version. The cheated amount is yet to be recovered and crucial part of investigation is still pending.

08. The modus operandi of the commission of crime is very serious in nature. The investigation is at the initial stage and complete money trail is yet to be established. The allegations against the applicant/accused are grave and serious in nature. There are strong apprehension that the applicant may hamper the trial or may flee from justice, if released on bail. Considering the gravity of the offence and other attending facts and circumstance, the court is of considered opinion that the application is devoid of merit and accordingly, the same is dismissed.

Needless to say, the observation made herein are without prejudice to the merits of the case.

Copy of the order be given dasti to all concerned.

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(Pawan Kumar)
Addl. Sessions Judge-06 (South)
Saket Courts/ New Delhi/01.08.2026