Reserved On : 30/04/2026
Pronounced On : 08/05/2026

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER CHARGESHEET) NO. 26773 of 2025
With
R/CRIMINAL MISC.APPLICATION NO. 26625 of 2025

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AMITKUMAR FULCHAND GUPTA
Versus
STATE OF GUJARAT

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Appearance:
MR BM MANGUKIYA(437) for the Applicant(s) No. 1
MS BELA A PRAJAPATI(1946) for the Applicant(s) No. 1
MR.SOAHAM JOSHI, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI DESAI**

Date : 08/05/2026

COMMON CAV ORDER

1. The applicant Amitkumar Fulchand Gupta of Criminal Misc. Application No.26773 of 2025 and applicant Mancy Chhaganbhai Goti of Criminal Misc. Application No.26625 of 2025, have preferred their respective applications, praying for regular bail under Section 483 of BNSS, 2023. Both the applicants came to be arrested by Udhna Police Station, Surat City, for the offense alleged to have committed under Section318(4), 336(2), 338, 336(3), 340(2), 61(2), and 3(5) of the BNS, 2023 which came

to be registered vide C.R. No.11210047250893 of 2025. The investigation having been completed, charge-sheet has been filed.

2. The FIR in question came to be lodged by one Mukeshdan Kanubhai Ishrani, Police Sub Inspector, Udhna Police Station, against the present applicants as well as other co-accused on 23.05.2025. As mentioned in the FIR, the police had intercepted one Ronak Sandip Sudani, who was found moving on an activa scooter in suspicious manner. The said Ronak Sudani was asked to open his scooter's dicky, from wherein, six different PAN cards and stamps bearing different names of proprietors were found. He was questioned as regards the said PAN cards and the stamps, to which, he had named his friend Mit Pravinbhai Khokhar as being the receiver of the said PAN cards and the stamps. It is further mentioned that, the said Mit Pravinbhai Khokhar was located and thereafter questioned, to which, he had stated

that, the said PAN cards and stamps were given to him by one Kirat Vinodbhai Jadvani. The police had also located the said Kirat Jadvani and upon inquiring from him, he had stated that he was into the business of cryptocurrency, and had come in contact with one Vinit Prasad of Delhi, who had told him to give up the cryptocurrency business and start supplying him bank accounts. Pursuant to which, the said Kirat Jadvani along with his partner Divyesh Jitendrabhai Chakrani and Mit Pravinbhai Khokhar and others had started luring different people, and by giving them amounts to the tune of Rs.10,000/- to Rs.12,000/-, had got them opened their bank accounts, however, the bank accounts' kits were sold to Vinit Prasad. It is further mentioned that, the police had conducted a search of Kirat Jadvani's office, from wherein, they had seized various mobile phones, sim cards, credit cards, debit cards, photographs of different people, copies of partnership deeds, account opening forms of RBL bank, laptops, smart cards, cheque books, etc. Thus, the FIR came to be registered against the said accused persons.

3. During the course of investigation, the Investigating Officer had unearthed huge scam pertaining to cyber fraud, whereby illegal and fraudulent transactions of approximately Rs.1500 crores were made. It further appears that, the present applicants along with bank employees of the RBL bank, were involved with Kirat Jadvani and other accused persons and thus, they also came to be arraigned as accused. It also appears that, bank accounts in the names of false firms which never existed, were opened, which were used for transactions of cyber fraud monies.

4. Heard learned advocate Mr.B.M.Mangukiya for the applicants, who has reiterated the averments of both the applications. Mr.Mangukiya, at the outset, has submitted that, applicant Mancy Goti was the

employee of the RBL Bank, whereas, applicant Amit Gupta was the relations manager. Mr.Mangukiya has drawn the attention of the Court towards affidavits of the I.O., wherein, the roles of the applicants are revealed. Mr.Mangukiya has also drawn the attention of the Court towards the fact that, the roles of the applicants are similar to the roles of the co-accused, who have been granted bail. All the offenses are triable by the Magistrate and maximum punishment which can be awarded is upto three years. Mr.Mangukiya has further submitted that, by keeping the applicants behind the bars, amounts to their pre-trial conviction. Mr.Mangukiya has stated that in view of the judgement in case of **Satender Kumar Antil,** the investigating agency has to compulsorily adhere to the provision of Section 35(3) of the BNSS, 2023. The charge-sheet runs into 1.5 lakh pages and since, similarly situated persons have been granted bail, both these applications are required to be allowed.

5. Heard learned APP Mr.Soaham Joshi, who has strongly objected to both these applications. Mr.Joshi has stated that, Kirat Jadvani, Vrunda Jadvani and Divyesh Chakrani are the three master minds of the entire offense and till date, Vrunda Jadvani has managed to remain out of the reach of the Investigation Agency. Mr.Joshi has further submitted that, the roles of the present applicants are altogether different than, the co-accused who have been considered for regular bail. Mr.Joshi has stated that, though applicant Mancy Goti was also a relationship manager, her role was graver than the four other co-accused, who too, were relationship managers, and who were considered for regular bail by the Court. So far as applicant Amit Gupta is concerned, learned APP has submitted that, he was the area head of all the branches of RBL Bank situated in Surat. Hence, in spite of the fact that charge-sheet has been filed against the applicants, considering their roles, this Court should not

exercise discretion in their favour.

6. At the outset, applicant-Amit Gupta was the area head of all the branches of RBL Bank, situated in Surat and was also the team leader of Premium Current Account Relationship Manager (for short 'PCRM'). As per instructions from one of the main accused Kirat Jadvani, he had participated in the process of opening of bank accounts and had received a commission of 0.20% from co-accused Kirat for all the transactions, that were done in the current accounts which were opened in various branches of the RBL Bank. The said applicant Amit Gupta has also been implicated in the internal inquiry conducted by the RBL bank, the report of which is a part of the supplementary charge-sheet, as submitted by learned APP Mr.Joshi.

7. The Investigating Officer has recorded the statement of one Ahmed Mobin Mansuri who is cited as

prosecution witness. The said witness had also given his statement on oath under Section 183 of the BNSS, 2023 before the 3rd JMFC of Surat, wherein, he had stated that, he had worked in the RAJ Textile which was owned by co-accused Kirat Jadvani. He has further narrated as to how he used to supply documents, cheques and stamps to various co-accused upon instructions from co-accused Kirat Jadvani. He has further submitted that, the applicant-Amit Gupta would visit co-accused Kirat Jadvani in his red coloured car and would leave after collecting money from the said co-accused Kirat Jadvani. He has further mentioned that the said co-accused Kirat Jadvani had instructed him to burn 12 to 15 mobile phones, which he had done. As per the report of the internal inquiry which was conducted by the RBL bank, it was found that the applicant-Amit Gupta had received approximately Rs.35 lakhs from various sources during October, 2024 and November 2024, and though there was justification by him regarding the said amount, the same had remained unsubstantiated. Thus, it appears that the role of applicant-Amit Gupta is not similar to that of the two branch managers viz. Arunbhai Ghoghari and Kalpesh Kakadiya. So also, his role is not similar to that of the co-accused Kalpesh Katheriya, Ashish Dhadiya, Naresh Manani and Anil Jani, who were only Relationship Managers with particular branches of the RBL bank.

8. So far as the role of applicant-Mancy Goti is concerned, she had opened 26 current bank accounts and was in constant touch with all the three main accused viz. Kirat Jadvani, Vrunda Jadvani and Divyesh Chakrani. She had helped the main accused persons in opening the bank accounts, and was passing on the details of the account holders to the main accused persons. She had received commission of Rs.15 to 20 thousand per account from the main accused. This applicant was

also implicated by the internal inquiry of the RBL bank, wherein, it was revealed that she had received Rs.10 lakhs from various sources. This applicant had overlooked the negative report of initial site verification in 12 out of the total 26 accounts, which were sourced by her. Thus, the role of applicant Mancy Goti is not similar to that of co-accused Anil Jani, Kalpesh Katheriya, Ashish Dhadiya and Naresh Manani, who too were relationship managers, and who were granted regular bail. It is further revealed that, the applicant Mancy Goti had opened as many as 26 current bank accounts, in the name of various firms, which never existed. It also appears that, the applicant Mancy Goti was in constant touch with the absconding accused Vrunda Jadvani, with whom, she had as many as 323 phone conversations.

9. The Hon'ble Apex Court in the judgement in case of ***Rakesh Mittal v. Ajay Pal Gupta @ Sonu Chaudhary and another*** had observed in para 19

thus:

> *"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."*

10. Further, the Hon'ble Apex Court in case of ***Y.S.Jagan Mohan Reddy v. Central Bureau of Investigation*** reported in ***2013 (7) SCC 439***, in para 15, had observed thus;

> *"15 Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offence having deep rooted conspiracies and involving huge loss of public funds needs to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country."*

11. Thus, considering the aforesaid observations in light

of the facts of this case, this Court is not in agreement with submission of Mr.Mangukiya that, the roles of the present applicants being similar to that of the co-accused who have been granted bail, the present applications should be allowed. Rather, considering the roles of the applicants being graver than the co-accused who have been granted bail, the principle of parity shall not apply.

12. In view of the aforesaid facts and discussions, this Court is not inclined to exercise the discretion in favour of the applicants and thus both these applications stand rejected.

(UTKARSH THAKORBHAI DESAI, J)

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