

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION (FOR REGULAR BAIL - AFTER
CHARGESHEET) NO. 27708 of 2025**

=====

IFTIKHARALI SABBIRALI SAIYAD

Versus

STATE OF GUJARAT

=====

Appearance:

MR AFTABHUSEN ANSARI(5320) for the Applicant(s) No. 1

MS JIRGA JHAVERI, ADDL PUBLIC PROSECUTOR for the Respondent(s)

No. 1

=====

**CORAM:HONOURABLE MR.JUSTICE UTKARSH THAKORBHAI
DESAI****Date : 08/04/2026****ORAL ORDER**

1. The applicant, herein, came to be arrested by Cyber Crime Police Station, Rajkot for the offence alleged to have been committed under Sections 319(2), 318(4), 316(2), 336(2), 338 and 336(3) of BNS, 2023 and under Section 66D of IT Act, which came to be registered vide I-C.R. No. 11208057250034 of 2025. The investigation is completed and charge-sheet has been filed.

2. As per the prosecution case, the applicant along with other co-accused, had uploaded a post on Instagram

luring investors to invest in share market and earn huge profits. The original complainant fell into the applicant's trap and showed his willingness to invest with the applicant, who in turn, had sent a false link named 'FYERPLUS' from Playstore, which the original complainant had downloaded, and thereafter, had transferred Rs.16,67,000/- towards his investment. It is further mentioned that, the original complainant was shown his profit as Rs.41,15,332/-. Thereafter, the original complainant had told the applicant that, he wanted to withdraw the amount, however, the original complainant was asked to settle with the bank to the tune of Rs. 4 lakhs, to which, he had refused, pursuant to which, the FIR came to be lodged by the original complainant.

3. At the outset, it is pertinent to observe that, the applicant has six identical antecedents, out of which, four offences are registered in Assam, Kanpur, Haryana and Lucknow, whereas, two offences came to be registered at

Surat and Gandhinagar.

4. Heard learned advocate Mr. Aftabhusen Ansari for the applicant and learned APP Ms. Jirga Jhaveri for the respondent State.

5. Ms. Jhaveri, learned APP has drawn the attention of the court towards the bank statement, from wherein, it is revealed that, monies were deposited in the applicant's account, so also the FIRs, which came to be registered against the applicant in three different states have also been placed on record along with the CDRs. It can also be observed from the CDRs that, the applicant had stayed at Kolkata for almost one and half months along with the co-accused. It also appears that, four co-accused are absconding till date.

6. Learned advocate Mr. Ansari for the applicant has drawn the attention of the court towards the order passed by the coordinate bench in Criminal Misc. Application No.

26601 of 2025, whereby, the applicant was granted bail in the offence, which was registered by Cyber Police Station, Gandhinagar Range. With all due respect, the said order cannot be of any help to the applicant, since he has committed identical offences one after the other, and though the coordinate bench had imposed a condition while enlarging the applicant on bail that, he shall not take undue advantage of liberty or misuse his liberty, he had continued committing offences of the same nature, after being released on bail.

7. Considering the involvement of the applicant in the crime being express and overt, it does not deem fit to this court to exercise discretion in favour of the applicant. Accordingly, the application is hereby rejected.

(UTKARSH THAKORBHAI DESAI, J)

DIVYA