



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(@SLP(CRL.) NO.588 OF 2026)

HARI KISHAN OMPRAKASH & ORS. APPELLANTS

VERSUS

STATE OF GUJARAT RESPONDENT

O R D E R

1. Heard.

2. Leave granted.

3. The complainant reported an incident to Cyber helpline stating that a cyber fraud amounting to Rs.2,54,922/- has been committed and same was registered and investigation has taken place. It was found during investigation that acting on the representation made in Whatsapp group and its application, and showing that complainant's friend had also invested a total amount of Rs.1,35,000/- and as such he had invested in the aforesaid transaction through "Ad-Bir Capable" application which reflected assurance of substantial profits on investment and this is said to have reinforced the inducement and trust.

It is further stated, though he had received Rs.59,961/-, he found that there was a suspicion of cheating and fraud and he had been cheated for an amount of Rs.2,54,922/- .

4. None of the appellants were name in the FIR. The co-accused, by name Vikas Dinesh Kumar, is said to have been enlarged on bail by the 2nd Additional Chief Judicial Magistrate, First Class, Botad on 26.01.2025 and likewise four other accused have also been enlarged on bail vide order dated 27.01.2025 and 22.04.2025.

5. Having regard to the aforestated facts, we are of the considered view that appellants herein are also entitled for being released on anticipatory bail.

6. Hence, appeal is allowed and impugned order is set aside. Appellants are ordered to be released on anticipatory bail subject to such terms and conditions as Investigating Officer (IO) may impose including the condition of directing the appellants to appear before the IO as and when called upon and also to mark attendance at least twice a month i.e. 15th and 30th of every month between 11:00 am to 01:00 pm till

conclusion of the trial. The IO would be at liberty to impose such other and further conditions as he deems fit.

7. Pending application(s), if any, shall stand disposed of.

.....J.
(ARAVIND KUMAR)

.....J.
(PRASANNA B. VARALE)

New Delhi;
January 15, 2026.

ITEM NO.24

COURT NO.16

SECTION II-E

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 588/2026

[Arising out of impugned final judgment and order dated 13-11-2025 in CRLMA No. 22526/2025 passed by the High Court of Gujarat at Ahmedabad]

HARI KISHAN OMPRAKASH & ORS.

Petitioner(s)

VERSUS

STATE OF GUJARAT

Respondent(s)

IA No. 9450/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 9454/2026 - EXEMPTION FROM FILING O.T.

Date : 15-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Rarnish Shobhnath Dubey, Adv.
Ms. Bhagyashri Prakash Dubey, Adv.
Mr. Dhananjay Mishra, Adv.
Mr. Nishant Bishnoi, AOR
Mr. Raghav Khanna, Adv.

For Respondent(s) : Ms. Swati Ghildiyal, AOR
Mr. Rishi Yadav, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. Appeal is allowed in terms of the Signed Order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)