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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010265412026

+ **BAIL APPLN. 2341/2026**

ANJU KUMARI @ ANJU UPADHAYAY Petitioner

Through: Mr. Vishal Vikram Rana, Ms.
Misha Bharti, Mr. Utkarsh Vikram
Rana, Advocates.

versus

STATE (GOVT OF NCT OF DELHI) Respondent

Through: Mr. Yudhvir Singh Chauhan, APP.
SI Sunil Dev Sihag, P.S. Cyber,
Shahdara.
Ms. S. Singhal, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **21.08.2026**

1. By way of the present application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], the applicant seeks anticipatory bail in connection with FIR No. 88/2024 dated 30.07.2024, registered at Cyber Police Station, District Shahdara, Delhi, under Section 420 of the Indian Penal Code, 1860 ["IPC"].
2. I have heard Mr. Vishal Vikram Rana, learned counsel for the applicant, Mr. Yudhvir Singh Chauhan, learned Additional Public Prosecutor for the State, and Ms. S. Singhal, learned counsel for the complainant.
3. Mr. Chauhan has handed over a status report, which is taken on



record.

4. The applicant was granted interim protection by an order dated 23.07.2026, recording as follows:

“2. The allegations in the FIR pertain to an investment fraud in which the complainant was allegedly induced to part with a sum of approximately Rs. 30,10,000/-. It is alleged that, pursuant to advertisements published on Instagram, the complainant joined two WhatsApp groups, namely, “04-Private Equity Mentoring Exchange Club” and “Elite Team 37”, whereafter he was allegedly directed to remit a total amount of Rs. 30,10,000/- to specified accounts.

3. Pursuant to notice issued on 29.06.2026, Mr. Yudhvair Singh Chauhan, learned Additional Public Prosecutor for the State, has handed over a status report dated 09.07.2026, which is taken on record.

4. The prosecution case, as set out in the status report, is that, out of the total amount of Rs. 30,10,000/- allegedly transferred by the complainant, a sum of Rs. 4,00,000/- was credited to the bank account of one Anil Kumar, maintained in the name of his proprietorship concern, “Axil Nexa Idea Live”. In his disclosure statement, Anil Kumar named the applicant as the person who had induced him to permit the use of his bank account for the aforesaid purpose, and he had furnished her with the account details and the mobile number linked thereto. However, save for the aforesaid disclosure statement, the status report does not disclose any independent or corroborative material establishing any nexus between the applicant and either the complainant or the bank account in question.

5. Mr. Chauhan submits that further investigation is required to ascertain the role of the applicant and to establish the aforesaid alleged connections.

6. Having regard to the aforesaid facts and circumstances, including the prima facie material on record, I am of the view that the custodial interrogation of the applicant is not warranted at this stage, and that she ought not to be deprived of her liberty pending further investigation.

7. The applicant is directed to appear before the Investigating Officer on Monday, i.e. 27.07.2026, at 4:00 P.M., and thereafter as and when required. Subject to the applicant joining and cooperating with the investigation, she shall not be arrested in connection with FIR No. 88/2024 dated 30.07.2024, registered at Police Station Cyber Police Station, Shahdara, Delhi, under Section 420 of the IPC, until the next date of hearing.

8. The Investigating Officer is directed to place on record an updated status report setting out the progress of the investigation before the next date of hearing.”



5. Mr. Chauhan states, upon instructions from the Investigating Officer [“IO”], who is present in Court, that the applicant has joined investigation. However, he submits that the applicant has not handed over the mobile phone, which she was using on 05.02.2024, being the date on which the aforesaid amount of Rs. 4,00,000/- was credited to the account of co-accused Anil Kumar. This contention does not find place in the status report. However, Mr. Rana submits that, in the course of interrogation, the applicant has already informed the IO that she is not in possession of the phone, which she was using on 05.02.2024. Accordingly, no allegation of non-cooperation is made out at this stage, on this account.

6. In fact, in the status report, the *prima facie* material against the applicant has been summarized as follows:

“That at the present stage of investigation, the material relating to Anju Upadhyay consists of the disclosure of accused Anil Kumar regarding her alleged involvement and the CDR showing telephonic contact between Anju Upadhyay and Anil Kumar on 05.02.2024, i.e. on the date of the alleged fraudulent transactions.”

7. In these circumstances, I am of the view that the *prima facie* material available against the applicant, at this stage, does not warrant exposing her to the deprivation of her personal liberty.

8. The bail application is, therefore, disposed of with the direction that, in the event of arrest in connection with FIR No. 88/2024 dated 30.07.2024, registered at Cyber Police Station, District Shahdara, Delhi, the applicant shall be released on bail, subject to furnishing a personal bond in the sum of Rs. 25,000/-, with one surety in the like amount, to the satisfaction of the Arresting Officer/Station House Officer, and subject to



the following further conditions:

- a. The applicant shall attend the investigation as and when she is called and cooperate with the IO;
- b. The applicant shall furnish her mobile number to the IO, and shall keep the said mobile phone running and always switched on. The mobile number shall not be changed or switched off without prior intimation to the IO;
- c. The applicant shall give her residential address to the IO, and shall not change her residential address without prior intimation to the IO;
- d. The applicant shall not, directly or indirectly, threaten any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- e. The applicant shall not leave the country except with the permission of the Court during the pendency of the proceedings;
- f. The applicant shall not commit any offence during the pendency of these proceedings.

9. Ms. Singhal states that the complainant, the applicant, and co-accused Anil Kumar have entered into an oral settlement for which the complainant has also received part payment, but the remaining payment has not been made. As far as this aspect is concerned, co-accused Anil Kumar is not before the Court. However, if any of the parties wish to enter into a Settlement Agreement with the assistance of a Mediator, they are free to approach *Samadhan*, Delhi High Court Mediation and Conciliation Centre. Needless to say, this Court makes no observation at this stage, with regard to the effect of any settlement, upon the criminal



proceedings.

10. The bail application is disposed of in terms of the above.

11. It is clarified that the observations made herein are solely for the purpose of adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case, nor shall they prejudice the rights and contentions of the parties at any stage of the proceedings.

PRATEEK JALAN, J

AUGUST 21, 2026
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