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

CNR No. DLHC010322182026

+ **BAIL APPLN. 2878/2026**

SURENDER

.....Petitioner

Through: Mr. Dheeraj Jani, Mr.Shadab Azhar
and Mr.Amit Alok, Advs.

versus

STATE(NCT OF DELHI)

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State.
W/SI Tiamenla, PS: Cyber/SED.
Adv. for complainant (*appearance
not given*) (VC).

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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31.08.2026

1. The application by way of the present petition seek for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in connection with FIR No.14/2024 dated 13.02.2024 for the offences under Section 420/120-B of the Indian Penal Code, 1860 (IPC) registered at PS Cyber Police Station, South East, Delhi.
2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated. It is further submitted that there is no evidence against him of any false promise extended to the complainant. Even otherwise, according to him, the investigation has been completed, and



the chargesheet has been filed. There are no other criminal cases pending against him.

3. The aforesaid submissions are opposed by Mr. Naresh Kumar Chahar, learned APP for the State and learned counsel for the complainant, who appears through Video Conferencing.

4. Mr. Chahar, submits that on the false pretext of providing a government job, the complainant was cheated with approx. Rs.2,03,130/-. According to him, there is direct evidence of transfer of the money in the applicant's bank account.

5. Similar submissions are made by the learned counsel appearing for the complainant.

6. I have considered the submissions made by the learned counsel appearing for the parties and have perused the record.

7. It be noted that the co-accused, namely, Rajesh has expired.

8. It is the applicant's contention that the deceased co-accused Rajesh was his neighbour, who had asked the present applicant to share his account number for transfer of some money. The present applicant stated to have *bona fide* shared his account number. The applicant is 7th pass and cannot be expected to offer a government job to an illiterate person.

9. It is his contention that the complainant is a well-educated person and there is no stretch of imagination an educated person would lay upon an uneducated and an unemployed illiterate person for offering a government job.

10. The Court also finds that the investigation is over and the chargesheet has already been filed. The applicant is not involved in any other criminal case. The trial will take enough time in its completion. The entire



prosecution case rests on the documentary evidence.

11. The parameters governing the grant of bail have been succinctly laid down in ***Prasanta Kumar Sarkar v. Ashis Chatterjee***,¹ wherein the Supreme Court held that while considering an application for bail, the Court is required to balance the nature of the accusation, the severity of punishment, the possibility of the accused fleeing from justice, likelihood of tampering with evidence or influencing witnesses, antecedents of the accused and the overall interests of justice.

12. The Supreme Court in ***Sanjay Chandra v. CBI***,² has observed that the object of bail is to secure the attendance of the accused during trial and that pre-trial detention should not assume a punitive character. These observations were expounded as follows:

“21. In bail applications, generally, it has been laid down from the earliest times that the object of bail is to secure the appearance of the accused person at his trial by reasonable amount of bail. The object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment, unless it is required to ensure that an accused person will stand his trial when called upon. The courts owe more than verbal respect to the principle that punishment begins after conviction, and that every man is deemed to be innocent until duly tried and duly found guilty.”

13. In view of the overall facts and circumstances, the applicant is directed to be released on regular bail on such terms and conditions as may be imposed by the concerned Trial Court.

14. The application stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 31, 2026/P

¹ (2010) 14 SCC 496

² (2012) 1 SCC 40