IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No. 2059 of 2025

Pinky Rani
Age 32 years, Occ. Housewife,
R/o. Home No.72A, Ward No.06,
Shanti Nar, Kisko More, Lohardaga,
Jharkhand – 835 302. … Applicant

Versus

The State of Maharashtra
At the instance of Sr. Inspector of
Police, Rabale MIDC Police Station vide
their F.I.R. No. 350 of 2024. …Respondent

With

Anticipatory Bail Application No. 2061 of 2025

Amit Kumar
Age: 39 years, Occ.: Service,
R/o. College Road Ghagra,
Village Ghaghra Gumia Ghagra,
Jharkhand – 835 207. … Applicant

Versus

The State of Maharashtra
At the instance of Sr. Inspector of
Police, Rabale MIDC Police Station vide
their F.I.R. No. 350 of 2024. …Respondent

Mr Sudeep Pasbola, Senior Counsel, a/w Ms Harshada Shirsath, Mr Chinmay Godse, Mr Aditya Sonawane, Mr Rajan Gurnani i/b Mr Sandeep Singh, for the Applicant in both ABAs.
Mr SV Walve, APP, for Respondent / State in both ABAs.
PSI Barate SA, Crime Branch Unit I, Navi Mumbai.

Coram: R.N. Laddha, J.
Date: 25 July 2025

P.C.:

By these applications, the applicants seek pre-arrest bail in connection with CR No.350 of 2024, registered at Rabale MIDC Police Station, New Mumbai, for offences punishable under Sections 318(4) read with 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023; Sections 3, 6 and 4 of the Indian Wireless Act, 1933 and Sections 20, 20A, 21 and 25 of the Indian Telegraph Act 1885.

2. According to the prosecution, between April and July 2024, the Department of Telecommunications (DoT) received reports from citizens about international calls appearing as local Indian numbers. Investigations revealed that these calls were being fraudulently routed using SIP trunk lines, with Indian Calling Line Identification (CLI) numbers to mislead recipients. The SIP lines were provided to M/s Humanity Path Technology (OPC) Private Limited, operated from Web Werks India Private Limited, Navi Mumbai. Srivansh Consulting Services Private

Limited, associated with the setup, used over 1000 DID numbers and was found running the infrastructure. Internet and hosting services were managed through Web Werks. DoT, along with Jio and law enforcement, inspected the site and confirmed illegal VoIP call routing (grey routing) through Jio's enterprise network. Equipment, including routers, servers, and IP logs, confirmed unauthorised international VoIP activity, causing an estimated Rs.5 Crores loss to the government. The applicants are the directors of Srivansh Consulting Services.

3. The learned Senior Counsel appearing on behalf of the applicants asserts the applicants' innocence and contends that they have been falsely implicated in the present crime. The learned Senior Counsel further submits that, on a *prima facie* assessment, no offence under Section 318(4) of the BNS, nor under Sections 20, 20A, 21 and 25 of the Indian Telegraph Act 1885, is made out against the applicants.

4. The learned Senior Counsel submits that M/s Srivansh Consulting Private Limited is engaged in the business of providing integrated call centre solutions, which include a Customer Relationship Management (CRM) platform supported by AI-enabled calling services. In the ordinary course of its business, M/s Srivansh undertook digital marketing campaigns via platforms such as Google AdSense and Meta Ads

to promote its services. Pursuant to such marketing efforts, an inquiry was received from Humanity Path Private Limited, which sought a comprehensive call centre solution. In response, a digitally signed agreement was executed between the parties, whereby M/s Srivansh agreed to provide services on a trial basis for a period of three months. The learned Senior Counsel submits that M/s Srivansh neither sold nor facilitated the provision of any telephone connections to Humanity Path Private Limited. The DID numbers mentioned in the FIR were registered under the name Humanity Path Private Limited and not with M/s Srivansh. The said entity, i.e., Humanity Path Private Limited, operated its call centre services utilising the technological platform provided by M/s Srivansh for a period of approximately two months. Thereafter, DoT conducted a raid on the Mumbai-based server of M/s Srivansh, and all associated hardware and data were seized. The learned Senior Counsel contends that the applicants are, in fact, victims of the present crime and have not perpetrated any illegal act and had only leased the server infrastructure from M/s Web Werks Private Limited and were not involved in the alleged unlawful routing of calls. The learned Senior Counsel further submits that all relevant equipments and data are already in the custody of the investigating agency, and there remains no necessity for further recovery or discovery from the applicants. The applicants are ready and willing to cooperate with the investigation.

5. On the other hand, the learned Additional Public Prosecutor representing the respondent/State, opposes the applicants' request for the grant of pre-arrest bail. He contends that the allegations levelled against the applicants are of a grave and serious nature, and the grant of anticipatory bail at this stage would hamper the ongoing investigation.

6. The learned APP argues that the applicants had hired server infrastructure from Web Werks company and, by illegally routing international VoIP calls through SIP trunk lines, caused wrongful loss to the Government of India amounting to approximately Rs.5 Crores. The modus operandi of the alleged offence and the involvement of other co-accused or accomplices are yet to be ascertained. The investigation is at a nascent and crucial stage.

7. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records.

8. It is a settled position in law that the power to grant anticipatory bail is extraordinary. While it has been acknowledged in many instances that regular bail is considered

a general rule, the same analogy cannot be applied to anticipatory bail. The decision to grant anticipatory bail must be exercised with careful and prudent discretion by the Court, considering each case's specific circumstances. A straitjacket formula cannot be applied. While exercising this power, the Court must exercise caution, as granting protection in serious cases could potentially lead to a miscarriage of justice or hinder the investigation by allowing tampering or destruction of evidence. A profitable reference in this regard can be made to the decision of the Hon'ble Supreme Court in ***Srikant Upadhyay & Ors. v. State of Bihar & Anr.***[1]

9. As per the prosecution, between April and July 2024, the DoT received multiple complaints from citizens regarding international calls being deceptively displayed as local Indian numbers. Upon investigation, it was revealed that the calls were being fraudulently routed using SIP Trunk lines, with Indian Calling Lines Identification numbers, in order to mislead the recipients. It was further found that M/s Srivansh Consulting Private Limited, with which the present applicants are associated as directors, had played an active role in establishing and operating the said setup. Over 1000 Direct Inward Dialling numbers had been used in the operation. Further, there is

[1] 2024 SCC OnLine SC 282.

material available on record to *prima facie* indicate that the infrastructure was being managed using the internet and hosting services provided by Web Werks. A joint inspection conducted by the DoT, Jio, and law enforcement authorities confirmed the presence of illegal VoIP call routing, commonly referred to as 'grey routing', carried out through Jio's enterprise network. The inspection also resulted in the seizure of the equipments, including routers, servers, and IP logs, all of which substantiated the occurrence of unauthorised international VoIP activity. The estimated loss to the government due to this illegal activity is pegged at approximately Rs.5 Crores.

10. In light of the serious nature of the offence, the technical sophistication involved, and the *prima facie* material on record pointing to the applicants' directorial role in the company operating the illegal setup, this Court finds no ground to grant anticipatory bail to the applicants. Accordingly, the applications stand dismissed.

[R.N. Laddha, J.]