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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 07.04.2025

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BAIL APPLN. 415/2025 & CRL.M.A. 2929/2025

DEEPAK VERMA

.....Petitioner

Through: Mr. Jitender Kumar, Advocate.

versus

THE GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for the State
with SI Vijay Kumar and HC Sumit
from PS Cyber Dwarka

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. Learned prosecutor has filed updated status report dated 05.04.2025, which is accepted across the board, to be scanned and made part of the file. Copy supplied. Arguments heard.

2. At the outset, learned APP on instructions of Investigating Officer/SI Vijay Kumar submits that the accused/applicant has not been responding clearly to the questions and is evasive, therefore, no further indulgence may be granted.

3. On behalf of accused/applicant, the only argument advanced by

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learned counsel is that the accused/applicant is not aware of anything about the registration of the case and the investigation. Learned counsel for accused/applicant submits that accused/applicant is innocent and apart from this, he has nothing else to address.

4. On the other hand, learned APP has taken me through record in support of her contention that the investigation is at nascent stage and the accused/applicant is not cooperating with investigation. It is submitted by learned APP that according to investigation carried so far, the accused/applicant shifted SIM card of the mobile phone from one IMEI number to another IMEI number but the accused/applicant is not disclosing to whom he transferred the SIM card. That being so, according to prosecution, custodial and sustained interrogation is required.

5. The accused/applicant seeks anticipatory bail in case FIR No. 102/2024 of PS Cyber Division, Delhi, for offence under Section 318(4)/61(2) of BNS. Broadly speaking, the allegation against the accused/applicant is as follows. The complainant Rishabh Kapoor joined a Telegram Group, namely Badshah Broking, which group used to give market share calls regarding “Futures and Options”. The complainant, after seeing the message in the group enquired about the scheme from phone no.8290189552 and was advised to invest in cryptocurrency. On 11.11.2024,

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the complainant spoke on same phone number and expressed desire to invest Rs.5,000/-, to which the other side responded with sending a QR Code Scanner for sending money. Thereafter, the complainant received a tax invoice, calling for a commission amount of Rs.9,700/- as fund money exchange charge on the same UPI. Across a period of time, the complainant transferred Rs.2,03,500/- on same UPI. During investigation, it was revealed that first three transactions amounting to Rs. 33,400/- were credited in the HDFC bank account of one Ajay Mehra, resident of Tonk, Rajasthan and the said amount was withdrawn on 11.11.2024. The said Ajay Mehra joined the investigation on 28.12.2024 and disclosed that in October he had met Deepak Verma (the present accused/applicant), a resident of Tonk and Deepak Verma asked Ajay Mehra to share his bank details/ATM and SIM because his account had been blocked and he needed urgent details in order to receive a payment. The accused/applicant assured Ajay Mehra that after withdrawal of the amount, the accused/applicant would return the account details and for this purpose he offered Rs.2,500/- to Ajay Mehra. Thereafter, Ajay Mehra procured a new SIM and mobile number 8875874910 and opened a new bank account with HDFC bank at Tonk and handed over the said details with ATM card to the present accused/applicant. Ajay Mehra also delivered the defrauded amount of Rs. 33,400/- to the complainant after he came to know about the fraud committed by the present accused/applicant. Despite service of notice, the accused/applicant did not



join investigation and also did not get recovered the ATM cards, SIM cards and mobile phones. The investigator is also in the process of obtaining CCTV footage of the concerned ATM(s) from where the defrauded amounts were withdrawn.

6. In the updated status report filed today, it is submitted that the accused/applicant appeared before the Investigating Officer on 07.03.2025 but remained evasive, not replying to the questions put to him.

7. To summarize, the investigation into this cryptocurrency fraud is at a nascent stage and the accused/applicant has been evasive in investigation, so a sustained custodial interrogation in accordance with law is required by the Investigating Officer; while on the other hand, on behalf of accused/applicant except a bald plea of innocence, no other argument has been advanced.

8. In view of these circumstances, I do not find it a fit case to grant anticipatory bail to the accused/applicant. Therefore, the anticipatory bail application is dismissed.

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