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

\+ BAIL APPLN. 555/2025 & CRL.M.A. 3983/2025

MANDEEP SINGH .....Petitioner

Through: Mr. Shivek Rai Kapoor, Advocate

versus

STATE NCT OF DELHI .....Respondent

Through: Mr. Naresh Kumar Chahar, APP for the State

CORAM:
HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

O R D E R

% 08.04.2025

1. By way of the present application, the applicant is seeking the grant of anticipatory bail, in case arising out of FIR bearing no. 538/2024, registered at Police Station Special Cell, Delhi, for the offences punishable under Sections 318/319/61(2) of the Bharatiya Nyaya Sanhita, 2023 (hereafter '*BNS*').

2. Briefly stated, the present FIR was registered on the complaint of Arun Kumar Jain, the complainant, wherein it was alleged that he had joined two WhatsApp groups, namely 'Bajaj Finserv-Bajaj SST-XAI International' on 24.07.2024 and 'Saif India stock-VIP 205' on 27.08.2024 wherein he had received links to download applications for online trading which were subsequently downloaded by him for the purpose of trading in stocks. It was further alleged that in the aforementioned applications/ platforms, the stocks were displayed at a specific price and when the same were sold, a good

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profit was shown on the platform, in pursuance to which the complainant had started making payments at the said platforms and when the value of profit was showing to be very high in both the platforms/applications, he had applied for the withdrawal. However, the withdrawal requests had been blocked due to some reason or the other pursuant to which the complainant had sensed that he had been trapped into a fraud.

3. In the present case, during the course of investigation, it was revealed the complainant had transferred Rs. 18.84 crores from his two bank accounts into 26 different bank accounts, out of which Rs. 20 lakhs had been transferred to the account of one Sahil Super Store on 17.10.2024. Out of these Rs. 20 lakhs, Rs.14.90 lakhs had been received on the same day in the account of Sai Oil Traders, which was operated by accused Prince Verma. The said amount had been further siphoned off from the account of Sai Oil Traders through multiple transfers and cash withdrawals. Accused Prince Verma was arrested thereafter, who disclosed that he had been in contact with accused Bachan, who had provided him with a WhatsApp number for communication purposes and had also instructed him to make payments directly to applicant/accused herein, or his associates, after withdrawing funds from his bank accounts.

4. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case, merely on the basis of the disclosure statement of the accused person. It is argued that there is no evidence against the applicant in the present case. It is also submitted that the applicant has not been named in the FIR and that he has not received any amount of money from any of the bank accounts, neither of the complainant nor of the accused Prince Verma. It is submitted that the applicant has never

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been a member of any WhatsApp group used for defrauding. It is also submitted that the applicant is ready and willing to join the investigation and therefore, he be granted pre-arrest bail.

5. The learned APP for the State appearing for the State strongly opposes the present application, and argues that the applicant herein is actively involved in the organized cyber crime syndicate. It is submitted that the investigation is at an initial stage and the custodial interrogation of the applicant is required to unearth the entire conspiracy, It is also argued that multiple notices under Section 35(3) of the Bhartiya Nagarik Suraksha Sanhita, 2023 (hereafter, '*BNSS'*), had been issued to the applicant herein to join investigation, however, despite these notices, the applicant joined investigation only on two occasions, i.e., on 26.02.2025 and 07.03.2025. It is prayed that the other accused persons are yet to be traced and the main beneficiary is yet to be identified, and that the evidence in the present case is electronic in nature and can be tampered with. It is stated that the allegations are serious in nature as the amount involved is Rs. 18.84 crores, and the material placed before this Court, by way of status report, is enough at this stage to show the active involvement of the applicant herein in the offence in question. Therefore, it is prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed on behalf of both the parties and has perused the material available on record.

7. In the present case, this Court notes that as per the Status Report available on record, the investigation so far has revealed that the WhatsApp chats of the co-accused persons Bachan and Prince discloses that the co-accused Bachan and the applicant herein were involved in handling the mule

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bank accounts for handling proceeds of crime related to the present case. Further, the analysis of the Call Detail Records (CDRs) of the mobile phone (9876598509) belonging to the accused Prince Verma, and the applicant herein indicates that communication between them had commenced on 02.10.2024. The first financial transaction had occurred on 04.10.2024, while the account in question was opened on 27.09.2024, and the KYC verification was completed on 03.10.2024. The applicant herein and the accused Prince Verma have communicated approximately 266 times out of 277 instances during the month of October 2024, which coincides with the period during which the fraudulent funds were deposited into the account of Sai Oil Traders (operated by accused Prince Verma), subsequently encashed, and allegedly handed over to the applicant herein and other individuals involved. The majority of the illicit transactions in the Sai Oil Traders account occurred during the months of October and November 2024. It is also material to note that during investigation, the bank account of Sai Oil Traders was found added as beneficiary in the bank account of the present applicant.

8. As per Status report, when the applicant herein had joined investigation on 26.02.2025 and 07.03.2025, he had admitted that on instructions from the co-accused Bachan, he had contacted the co-accused Prince Verma, and he allegedly had collected the withdrawn cash from co-accused Prince and his brother Yogeshwar, and transferred the same to unknown persons. As alleged, he also admitted that he had destroyed his SIM card, reset his mobile phone and deleted all old chats/data from his mobile phone.

9. Having carefully examined the material on record, this Court notes

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that insofar as the role ascribed to the applicant herein is concerned, the investigation so far has *prima facie* revealed his involvement in the money trail and routing of the invested money linked to the organized cyber crime syndicate.

10. The investigation of the present case is at the initial stage and the custodial interrogation of the present applicant would be required to unearth the entire conspiracy and other relevant information as well as the involvement of other accused persons. Considering the seriousness of the allegations, the manner of commission of offence in question, and the larger public interest in view of the fact that the complainant was cheated of his money by way of cyber offence, this Court finds no ground to grant anticipatory bail to the applicant.

11. Accordingly, the present bail application stands dismissed.

12. It is, however, clarified that nothing expressed herein above shall tantamount to an expression of opinion on merits of the case.

13. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

APRIL 08, 2025/A

Click here to check corrigendum, if any

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