



2025:DHC:5631



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 15.07.2025

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BAIL APPLN. 1195/2025

SUBHASISH SAHA

.....Petitioner

Through: Mr. Pritish Sabharwal, Advocate

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for State
with IO/SI Hemant.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No. 275/2024 of PS Special Cell for the offence under Section 420/120B IPC.
2. In pre-lunch session today, the application was partly heard and the matter was passed over at request of the learned ASC as he needed some more time to examine the brief. In view of wordings of the FIR, the narration of the alleged offence was recorded in presence of the learned ASC and the IO in simplified manner in pre-lunch session as follows:

i. After part arguments, learned ASC accompanied with the IO seeks a passover to examine the chats. Those chats were not filed despite the last order, though learned counsel for the accused/applicant has examined the same.



ii. For convenience, the factual matrix simplified with the assistance of the IO is as follows. The complainant came in contact with the accused and the latter started giving him professional tips of investment of money. One such tip given to the complainant was to invest in crypto currency through different companies, which was done by the complainant. The money was transferred by the complainant to those different companies. Later, when the complainant asked the accused/applicant to wind up his account, the accused/applicant demanded his charges. That led to registration of FIR. It is reiterated that this simplified factual matrix is affirmed by the IO and learned ASC.

iii. Another argument advanced is that Ms. Charu Gupta and Ms. Neha Gupta, against whom also similar allegations were levelled by the complainant, no action has been taken. Further, it is contended by learned counsel for the accused/applicant that the accused/applicant never personally contacted the complainant *de facto*.

iv. On these aspects, learned ASC seeks a passover to examine because he has appeared today for the first time in this case.

v. As requested, matter is passed over.

3. In this post-lunch session, learned ASC supported by the IO/SI Hemant submits that in the pre-lunch session, the factual matrix explained by the IO was not completely correct. That being so, the IO is again called upon to address and narrate the factual matrix because contents of the FIR are not very clearly decipherable. The IO narrates the circumstances on the basis of the FIR and the investigation file as follows.

4. The complainant *de facto* was induced by one William to invest in crypto currency and accordingly he invested in 12 bank accounts, one of which was in the name of Anuvab Digital, managed by the accused Manidip Sarkar. In the said bank account of Anuvab Digital, amount of Rs. 65,00,000/- was deposited by the complainant *de facto*. The accused Manidip Sarkar was arrested. (But despite being repeatedly asked, the IO is



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unable to disclose as to why Manidip was arrested). It is further submitted by the IO that Manidip made a disclosure statement that on the advice of the accused/applicant, he had shared the bank details with Abdur Rehman and Subho Zamal. Abdur Rehman created a WhatsApp group with Subho Zamal, Manidip and the accused/applicant and from profits earned by Anuvab Digital, 1% was shared equally by the four of them, namely, Subho Zamal, Abdur Rehman, Manidip and the accused/applicant. This is the entire status of the alleged crime as on date.

5. Learned ASC, in all fairness expresses inability to oppose this application in view of the circumstances explained by the IO above. However, learned ASC requests that the accused/applicant be directed to join investigation as and when directed by the IO, as further investigation is pending.

6. Considering the above circumstances, this bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the trial court. The accused/applicant shall join investigation as and when directed in writing by the IO, as further investigation is pending.

**GIRISH KATHPALIA
(JUDGE)**

JULY 15, 2025
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