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

\+ BAIL APPLN. 2715/2025, CRL.M.A. 24435-24436/2025

VINEET JHAVAR .....Petitioner

Through: Ms. Shobha Gupta, Mr. Manasvi Negi, Ms. Sanskriti Shakuntla Gupta, Ms. Simranjeet Kaur, Ms. Akshita Mishra, Ms. Ojasvi and Ms. Dharini, Advocates.

versus

STATE OF NCT OF DLEHI .....Respondent

Through: Mr. Mukesh Kumar, APP for State.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% 26.08.2025

1. The present bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] (formerly Section 439 of the Code of Criminal Procedure, 1973[2]) seeks regular bail in proceedings arising from FIR No. 129/2022 registered under Section 420, 384, 468 and 471 of the Indian Penal Code, 1860[3] at P.S. Special Cell. The Applicant has also been implicated in two other criminal cases, namely FIR No. 9/2022 registered at Cyber Police Station, North East District, and FIR No. 39/2022 registered at Cyber Police Station, East District. In both cases, he was granted bail by

[1] "BNSS"
[2] "Cr.P.C."
[3] "IPC"

orders dated 18th January, 2023, passed by the CMM, North East District, Karkardooma Courts, and 30th January, 2023, passed by the CMM, East, Karkardooma Courts, respectively. The present application is his fourth attempt to secure bail in FIR No. 129/2022 before this Court. In this case, the Applicant was arraigned through a supplementary chargesheet under Sections 420, 384, 385, 468, 471, and 120B IPC. However, charges have since been framed only under Sections 384 and 420 read with Section 120B IPC.

2. Briefly, the case of the prosecution is as follows:

2.1. The present case arises out of a large-scale organized cyber-crime involving fraudulent loan mobile apps and portals, illegal data harvesting and extortion of borrowers by recovery agents through threats, blackmail and circulation of morphed images.

2.2. On 13th January 2022, Mr. Rohan Kapoor lodged a complaint regarding a fraudulent app Express Loan. He received an SMS offering a "COVID vaccine loan". He clicked the link in the message, which led to the app being downloaded on his phone. The app sought access to contacts and gallery, and he shared Aadhaar and PAN details believing it genuine. Shortly after, INR 4,200/- was credited to his account. Four days later, he began receiving extortionist WhatsApp calls demanding thrice the amount, coupled with threats to circulate morphed obscene images, some of which were actually sent to his acquaintances.

2.3. Despite having repaid the said loan amount, the Complainant continued to receive threats and extortion calls. During inquiry, it was further discovered that around 45 similar complaints had been lodged against the Express Loan mobile application on the National Cyber Crime

Reporting Portal.

2.4. The investigation reveals that the Applicant, Vineet Jhavar, operated multiple bank accounts which were directly used for receiving and layering of proceeds of crime. Analysis of his bank statements discloses transactions running into crores of rupees. The forensic audit indicates that amounts aggregating approximately INR 1,40,81,913/- were routed through accounts associated with the Applicant and linked entities.

2.5. The Applicant opened at least five accounts in his name and in the names of entities such as Pioneer Entertainment, Shiv Tours & Travels, Filmiz Media, and Empire Trading, all of which were used to receive large sums from defrauded victims or co-accused.

2.6. During the course of investigation, another complainant, Aditya Sharma alleged that he was extorted of more than INR 25,00,000/- by the syndicate by sending morphed images to his relatives. Scrutiny of his bank statements revealed direct transfers into accounts belonging to the Applicant. These accounts were used for routing extorted amounts received from victims of fraudulent "Express Loan" and similar mobile applications.

2.7. The Applicant has failed to give satisfactory explanations regarding the transactions, the source of funds, or the identity of co-accused involved. He has not disclosed the names of masterminds of the syndicate and has been evasive during custodial interrogation. His role is not limited to passive receipt of money but extends to active handling and diversion of proceeds of crime.

2.8. The Applicant is a beneficiary of this illegal enterprise and one of the crucial links in laundering of illicit funds, as he allowed his accounts to be used for layering and integration of fraudulent gains.

3. Counsel for the Petitioner urges the following grounds in support of the present application:

3.1. The investigation *qua* the Applicant stands concluded. The case rests on documentary evidence, which has already been collected and filed along with the chargesheet and supplementary chargesheet. The Applicant's further custody is therefore not required.

3.2. With the filing of the chargesheet and supplementary chargesheet, the possibility of the Applicant tampering with evidence or influencing witnesses no longer remains a ground to deny bail.

3.3. The Applicant has remained in judicial custody for approximately 2 years and 10 months as an under-trial, for offences carrying a maximum punishment of 7 years' imprisonment.

3.4. No incriminating material or proceeds of crime recovered from the Applicant.

3.5. The Applicant bears a clean record and does not have any prior criminal antecedents. There is nothing to suggest that he poses a threat to society or that his release on bail would endanger the fair conduct of trial.

3.6. All the other co-accused mentioned in the chargesheet have been released on bail.

4. The Court has considered the aforenoted contentions and perused the record. The investigation in the matter stands concluded and a chargesheet has already been filed. The offences with which the Applicant is charged are under Sections 384 and 420 of the IPC. While the maximum punishment prescribed under Section 384 IPC is three years, the offence under Section 420 IPC carries a maximum punishment of seven years. As per the nominal roll, the Applicant has remained in custody for 2 years 10 months and 18

days.

5. It is further noted that several co-accused in the same case have already been enlarged on bail and the principle of parity would also weigh in favour of the present Applicant. Moreover, the chargesheet cites as many as 36 witnesses, which indicates that the trial is likely to take considerable time for its conclusion.

6. It is well established through catena of judgments by the Supreme Court that the object of granting bail is neither punitive nor preventative. The primary aim sought to be achieved by bail is to secure the attendance of the accused person at the trial.[4]

7. Therefore, having regard to the totality of circumstances, including the completion of investigation, the period of incarceration already undergone by the Applicant, the maximum sentence prescribed, the bail granted to co-accused, and the likelihood of delay in the trial, this Court is of the view that the Applicant is entitled to be released on bail.

8. The Applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of ₹50,000/- with two sureties of the like amount, subject to the satisfaction of the Trial Court/Duty MM, on the following conditions:

a. The Applicant shall cooperate in any further investigation as and when directed by the concerned IO.

b. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;

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[4] See also: ***Sanjay Chandra v. CBI***, (2012) 1 SCC 40; ***Satender Kumar Antil v. Central Bureau of Investigation***, (2022) 10 SCC 51.

c. The Applicant shall under no circumstance leave the country without the permission of the Trial Court;

d. The Applicant shall appear before the Trial Court as and when directed;

e. The Applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;

f. The Applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.

g. The Applicant shall report to the concerned PS on first and fourth Monday of every month;

9. In the event of there being any FIR/DD entry / complaint lodged against the Applicant, it would be open to the State to seek redressal by filing an application seeking cancellation of bail.

10. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.

11. The bail application is allowed in the afore-mentioned terms.

SANJEEV NARULA, J

AUGUST 26, 2025/MK