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

\+ BAIL APPLN. 2777/2025

ARMAN PATEL .....Petitioner

Through: Mr. Nikhil Singhvi, Mr. Achal Singh Bule, Mr. Sanyam Kumar, Ms. Gurbani Bhatia & Mr. Soham K. Luthra, Advocates

versus

THE STATE OF NCT OF DELHI .....Respondent

Through: Ms. Priyanka Dalal, APP.

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

O R D E R

% 02.12.2025

1. This is an application for grant of anticipatory bail in case FIR No. 561/2024 under Sections 318(4), 319 and 61(2) of BNS registered at P.S. Special Cell.

2. Briefly stated the facts of the case as per the FIR are that the complainant reported that on 23.12.2024 an amount of Rs. 1.97 crore was fraudulently transferred from his long-maintained Canara Bank account to the account of M/s T A Garments. He alleged that a newly hired CA, Rupali Parjapat, exceeded her authority by sharing confidential financial data over WhatsApp with an unauthorised person impersonating him, enabling the fraud. He further alleged that neither he nor his company had ever instructed or permitted such transfers and that both the CA and the bank failed to

exercise due diligence under RBI guidelines. Based on the enquiry, the aforesaid FIR was registered.

3. Learned counsel for the applicant submits that if the applicant had conspired with the actual fraudsters or was the direct beneficiary of the cheated money, the funds would have been diverted to other accounts and not into the applicant's own account, especially when the actual fraudsters have taken away the money. It is submitted that the applicant has consistently provided names and details of the real culprits, including in the Charge Sheet filed on 24.02.2025, yet the investigating agency has failed to investigate those individuals. Counsel further submits that although the applicant was served with a notice under Section 41A CrPC in June 2025 and expressed willingness to join the investigation, no meaningful opportunity has been afforded to him.

4. It is further submitted that the present application is pressed on two primary grounds, namely that the main account in which the funds were initially transferred is in the name of one Gohar Ali and was accessed from Cambodia as per the IP address, indicating international scam operations, and that innocent individuals like the applicant are often coerced or used as fronts in such financial frauds. It is also pointed out that the applicant's brother, whose phone number was linked to the account where the money was transferred, has been granted interim protection by the trial court vide order dated 19.07.2025. Lastly, it is submitted that the applicant is a young individual willing to cooperate with the investigation, and the allegations, if allowed to stand without proper inquiry, will irreparably damage his future prospects.

5. Bail application has been opposed by the learned APP, submitting that Rs. 4 lakhs, which were part of the proceeds of crime, were transferred to the bank account of the present applicant and the same were withdrawn by him through cheques within hours. In addition, he also withdrew Rs. 4 lakhs from the second layer account which was in the name of Harsha Verma using cheque. It is further submitted that applicant was served with notice under Section 35.3 BNSS but he did not join the investigation till date. Applicant is required for custodial interrogation for unearthing the entire conspiracy. Co-accused are yet to be arrested. Applicant may destroy/disappear the evidence if granted bail and may also evade the process of law.

6. Having considered the submissions made on behalf of the applicant as well as the State and upon examining the material placed on record, this Court is of the *prima facie* view that the allegations against the applicant disclose his direct involvement in the chain of fraudulent transactions. The Status Report filed by the State reflects that a sum of Rs. 4,00,000 was credited into the bank account of the applicant from the account of M/S T A Garments, a first-layer account and an additional sum of Rs. 4,00,000 was transferred into the second-layer dummy account of one Harsha Verma, from which the applicant withdrew the amount through self-cheques.

7. Applicant claims parity with his brother, who has been granted protection. However, he cannot claim such parity, inasmuch as, only the mobile number of the brother of the applicant was used in the bank record, whereas, the account is in the name of the applicant, and it is he, who withdrew the proceeds of crime from the said account using cheque.

8. The nature of the offence, involving a cyber fraud of Rs. 1.97 crore indicates a larger criminal conspiracy requiring a thorough and unhindered investigation. The contention of the applicant that he has cooperated with the investigation does not dilute the necessity of custodial interrogation, particularly when several co-accused remain untraceable and the channels through which the funds were layered and siphoned off are yet to be fully uncovered. The Status Report further reveals that one Notice u/s 35(3) BNSS was served on 29.05.2025 to applicant through his father Islam Patel for joining the investigation on 06.06.2025, but the applicant did not turn up.

9. The Supreme Court in the case of ***Srikant Upadhyay vs. State of Bihar***, 2024 SCC OnLine SC 282, reiterated that the power to grant Anticipatory Bail is an extraordinary power. The Apex Court held that though in many cases, it was held that the Bail is said to be a rule, it cannot, by any stretch of imagination, be said that Anticipatory Bail is the rule and therefore, the question of its grant should be left to the cautious and judicious discretion by the Court depending on the facts and circumstances of each case.

10. In the present case, the applicant's claim of innocence and defences on merits are matters to be adjudicated upon at trial and cannot be conclusively examined at the stage of anticipatory bail. At this stage, only a *prima facie* view is required, and the material indicates that the applicant received tainted funds, withdrew them immediately, and utilised a dummy account to facilitate the transactions, thereby establishing nexus with the fraudsters.

11. Considering the gravity of the offence, the magnitude of the financial fraud, and the necessity for custodial interrogation to trace the remaining beneficiaries and unearth the entire conspiracy, this Court is not inclined to exercise its discretion in favour of the applicant. Accordingly, the application for anticipatory bail is dismissed.

RAVINDER DUDEJA, J.

DECEMBER 2, 2025/NA