



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

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Reserved on: 11th December, 2025

Pronounced on: 15th December, 2025

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BAIL APPLN. 4014/2025

ARUN JAIN

S/o Sh. Raj Kumar Jain

R/o H No. 275/28, Gali No. 7

Dev Nagar, Sonipat, Haryana

.....Petitioner

Through: Mr. Nishant Sharma, Advocate

versus

STATE OF NCT OF DELHI

Through Station House Officer

Police Station Special Cell

New Delhi

.....Respondent

Through: Mr. Utkarsh, APP for the State

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

NEENA BANSAL KRISHNA, J.

1. The present Petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) read with Section 528 of BNSS, for the grant of regular bail to the petitioner, **Arun Jain**, in FIR No. 0111/2025 registered at Police Station Special Cell, Delhi, for offences punishable under Sections 318(4), 319(2), 61(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. The petitioner has been in judicial custody since 15.04.2025. His Bail Application filed before the learned Sessions Court was dismissed *vide* Order dated 08.08.2025.
3. ***Briefly stated***, the allegations are that the Complainant was lured into investing substantial amounts of money in what was presented as "QIB



trading”. This alleged fraud was orchestrated through a WhatsApp group named “A5 Wealth Freedom” and a mobile Application named “GALAD ARAB”. The FIR details various bank accounts where funds were transferred by the complainant, under false pretences.

4. The investigation revealed that an amount of Rs. 64,00,000/- was credited to the bank account of *M/s Saroj Enterprises*, of which the petitioner is the proprietor. It is alleged by the prosecution that the petitioner opened the said account and provided it for use in cybercrime activities in exchange for monetary benefits.

5. ***Learned counsel for the Petitioner*** submits that the Petitioner is innocent and has been falsely implicated. It is argued that the Petitioner was unaware of the fraudulent nature of the transactions. The Petitioner contends that he was misled by his friend, one Mr. Brijesh, who requested the use of the Petitioner’s bank account on the pretext that his own account was inoperative due to technical reasons and that he urgently needed to receive business payments. The Petitioner, trusting his friend, shared his account details and had no knowledge or *mens rea* regarding the alleged conspiracy or cheating. The Petitioner is a business owner, who has studied only up to the 12th standard and is not technically savvy.

6. It is further submitted that the investigation *qua* the Petitioner is complete, and the Chargesheet was filed on 13.06.2025. Therefore, no purpose would be served by keeping the Petitioner in further custody.

7. The Petitioner seeks parity on the ground that he was granted regular bail by the Gurugram Sessions Court in a similar case (FIR No. 089/2025, PS Cyber East, Gurugram) *vide* Order dated 31.05.2025, where the



allegations were identical regarding the lending of his bank account. Furthermore, *co-accused/Rafi Ahmed* has already been granted Anticipatory Bail by the Sessions Court.

8. It is further urged that the Petitioner is the sole earning member of his family, supporting an aged father, a bedridden sister, and school-going children. The prolonged incarceration has led to severe financial hardship, including defaulted loan EMIs and unpaid school fees.

9. Hence, the Bail may be granted.

10. ***Learned APP for the State in their Status Report***, have opposed the Bail Application, submitting that the petitioner played a specific role by opening the Account in the name of *M/s Saroj Enterprises* and providing it to the co-accused. The registered mobile number associated with the bank account, belongs to the Petitioner's wife. Further, the Petitioner's presence at Hotel Green House, Jasola along with co-accused persons at the relevant time, is corroborated by entry Registers and CDR analysis.

11. The State contends that the offence is serious, involving a cheated amount of over Rs. 4 Crores in total, with Rs. 64 Lakhs traced specifically to the Petitioner's account.

Submissions Heard and Record Perused:

12. The Petitioner has been in custody since 15.04.2025. Admittedly, the investigation regarding the Petitioner is complete and the Police Report (chargesheet) has already been filed in the Court, on 13.06.2025. Consequently, the petitioner is no longer required for custodial interrogation.

13. The allegations against the petitioner are primarily documentary in nature, revolving around the opening of a bank account and the receipt of



funds. The bank account statements, account opening forms, and other relevant documents have already been seized by the Investigating Agency. Therefore, the apprehension of the petitioner tampering with evidence is minimal.

14. Moreover, in FIR No. 089/2025 which involved similar allegations of the petitioner lending his account for fraudulent transfers, the Petitioner has been admitted to regular bail by the Court of the Additional Sessions Judge, Gurugram.

15. While the allegations of economic fraud are serious, it cannot be overlooked that the trial is likely to take a considerable amount of time to conclude. Keeping the petitioner behind bars for an indefinite period during the trial, would amount to pre-trial punishment, which is impermissible in law.

16. In view of the facts and circumstances of the case, particularly the fact that the Chargesheet has been filed, the petitioner has been in custody for approximately 8 months, and he has been granted bail in a similar case by a competent court in Gurugram, regular bail is granted to the petitioner.

17. Accordingly, the Petitioner/Arun Jain, is directed to be released on bail in FIR No. 0111/2025 registered at P.S. Special Cell, subject to his furnishing a personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one surety of the like amount to the satisfaction of the learned Trial Court/Duty Magistrate, and further subject to the following conditions:



- a. The petitioner shall not leave the country without the prior permission of the learned Trial Court and shall surrender his passport, if any, to the Investigating Officer/Court.
 - b. The petitioner shall provide his current mobile number to the Investigating Officer (IO) and shall keep it operational and switched on at all times. He shall share his live location with the IO as and when required.
 - c. The petitioner shall appear before the learned Trial Court on every date of hearing.
 - d. The petitioner shall not, directly or indirectly, contact the complainant or any prosecution witnesses or tamper with the evidence in any manner.
 - e. The petitioner shall not indulge in any similar criminal activity during the period of bail.
- 18.** It is clarified that the observations made herein are prima facie in nature and solely for the purpose of deciding the present bail application. They shall not influence the outcome of the trial on merits.
- 19.** The Bail Application is **allowed** and disposed of in the aforesaid terms.
- 20.** Copy of this judgment be communicated to the concerned Jail Superintendent for information and necessary compliance.

(NEENA BANSAL KRISHNA)
JUDGE

DECEMBER 15, 2025/R