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

\+ BAIL APPLN. 32/2025

SACHIN SANGWAN .....Applicant

Through: Mr. N.S. Dalal, Mr. Aman Midgil, Ms. Nidhi Dalal, Mr. Alok Kumar, Ms. Rachana Dalal, Mr. Kunal Nerwal, Advocates.

versus

THE STATE (GOVT. OF N.C.T. OF DELHI) .....Respondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

O R D E R

% **22.01.2025**

1. The present bail application under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 ('*Cr.P.C.*'), has been filed on behalf of the applicant, seeking grant of regular bail, in case arising out of FIR bearing no. 60/2023, registered at Police Station Cyber South, Delhi, for offences punishable under Sections 420/419/174A/120B of the Indian Penal Code, 1860 ('*IPC*').

2. Briefly stated, the facts of the present case are that on the basis of a complaint lodged on the National Cyber Reporting Portal, FIR No. 60/2023 had been registered. The complainant, Chandan Srivastva, had alleged an online financial fraud amounting to ₹5,07,000/-. It had been claimed by the complainant that on 05.04.2023, he had received a WhatsApp message from

a contact number, introducing the sender as Shivani Mathur, an HR representative of the Human Resources Department at OMD Advertising Marketing Media Group, offering a part-time job opportunity. The complainant had begun communicating with the alleged person on WhatsApp. The alleged person had stated that the complainant could earn money by liking YouTube videos, with a promise of ₹50 per like. Subsequently, the complainant had been provided with links to three YouTube videos via WhatsApp, which he had liked. On the same day, ₹150 had been credited to the complainant's SRI Bank Account, as promised. Encouraged by this, the complainant had repeated the process and had received another ₹150. Thereafter, he had been instructed to join a Telegram group. Upon joining the Telegram group, the complainant had been directed to complete tasks requiring an upfront monetary investment, with assurances of returns upon the completion of prepaid tasks. Following these instructions, the complainant had transferred a total amount of ₹5,07,000/- to various accounts provided by the Telegram administrator. After making the payments, the complainant had requested the accused persons to refund his money. However, the accused persons had continued to demand more money under the pretext of refunding the amount, leading to the present FIR.

3. The learned counsel appearing for the applicant has argued that the co-accused in the present case, has been granted bail. It is argued that he has fully cooperated with the investigation, which is now complete, and the charge sheet has been filed on 16.10.2024. The learned counsel argues that the learned ASJ erred in rejecting his bail application on 05.12.2024 by baselessly observing that he is part of a cybercriminal nexus operating from

Dubai and China, despite no evidence or mention of such a nexus in the charge sheet. It is argued that the investigation in the present case had been concluded and the matter is pending trial. Thus, it is submitted that the continued detention of the applicant serves no purpose, and prays for the grant of regular bail from this Court.

4. The learned APP appearing for the State, on the other hand, submits that the bank accounts details belonging to the accused Sachin Sangwan were analyzed during investigation and it was revealed that he has fifteen accounts in various banks and a total amount of ₹11,47,58,340/- had been credited and an amount of ₹11,41,96,060/- was debited from all the bank accounts. It is further argued that the transaction analysis of the bank accounts reveals that these bank accounts are involved in 34 NCRP complaints pan India. On further analysis, it came to the notice of the Investigating Agency that in total, 34 complainants had been cheated of a total amount of ₹1,21,01,355/-, and the accused had fraudulently received an amount of ₹37,14,538/-. It is also argued that the present accused had also been arrested in FIR bearing No. 90/2024 dated 11.09.2024, under Section 419/420 of the IPC. The present accused has settled the said case with the complainant, after a payment of ₹4,50,000/- as is mentioned in the bail order of the learned Magistrate. Another FIR bearing no. 38/2022 dated 28.10.2022, under Sections 419/420/406/120B of the IPC, is pending at Police Station Cyber Crime Howrah City, West Bengal. The learned APP for the State submits that the beneficiary PNB bank account debit card, cheque books were recovered from possession of the present accused. It is argued that though the accused submits that he is running the business in the name of Computer Nation, the investigation revealed that his business

account is also involved in 14 NCRP complaints. Another account of his, i.e. AU Small Finance, ICICI Bank was involved in 10 NCRP complaints, all over India. Therefore, it is prayed that the present bail application be dismissed.

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

6. Having gone through the same, this Court is of the view that though the learned counsel contends that investigation is complete and charge-sheet has been filed, and thus applicant's custodial interrogation is not required entitling him to grant of bail, the circumstances of the present case suggest otherwise. The applicant is alleged to be involved in multiple offences of cheating, with complaints and FIRs filed against him across India, relating to various bank accounts held by him, qua which investigation is still pending, money trail and the *modus-operandi* adopted by the accused is to be ascertained.

7. While learned counsel for the applicant also contended that this is a case of false implication, this Court, at this stage, *prima-facie* observes that the applicant is not involved in just one case of cheating but three other FIRs have also been registered against him for cheating multiple persons in other States of India. He has admittedly obtained bail in one of such cases by settling the matter by making payment of ₹4,50,000/-, however, numerous other complaints remain pending against him and are under investigation.

8. As stated by the learned APP for the State, there are a total number of of 34 complaints, including 14 complaints related to ICICI Bank Account No. 072105002438, 11 complaints related to AU Bank Account No. 2302254950977289, 5 complaints related to HDFC Bank Account No.

50100585874942, 2 complaints related to Canara Bank Account No. 90782010108355, and 2 complaints related to Paytm Account No. 919911652153. The offences alleged against the applicant are serious in nature, with the money trail leading directly to his bank accounts and his beneficiaries.

9. In view of the overall facts and circumstances of the case, and the serious allegations of online financial fraud involving multiple complainants and FIRs pending in other States also, this Court is not inclined to grant bail to the applicant, at this stage.

10. Accordingly, the bail application stands rejected.

11. Nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

12. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

JANUARY 22, 2025/*at*

Click here to check corrigendum, if any