

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1146 OF 2026

Mr. Satyam Sarvjeet Upadhyay	)...	Applicant
Versus		
State of Maharashtra & Ors.	)...	Respondents

Mr. Dinesh Nishad a/w Ms. Avantika Nishad, Ms. Neha Mishra, Mr. Chatradhari-Nishad for the Applicant.

Mr. Mayur S. Sonavane, A.P.P. for the Respondent-State.

CORAM : SANDESH D. PATIL, J.

**DATE : 20th MAY 2026
(VACATION COURT)**

P.C. :

1) The present application is filed by the Applicant for transit bail. The Applicant is residing at Vasai, i.e. within the jurisdiction of this Court. The allegation against the Applicant is that one Mr. Vishal Raina, the first informant residing at Himachal Pradesh had lodged a complaint under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023 on 17th September 2025. The informant states that he became the victim of online investment fraud. He states that he was added to the WhatsApp group on 28th July 2025 by one Mr. Dhiraj Relli. He states that the entire deposit of the Applicant was accepted by the Company.

He withdrew some amount successfully, however, thereafter, the rest amount could not be withdrawn. In this premise, the FIR was filed.

2) The Applicant states that he has received a notice from Cyber Crime Police Station, Northern Range, Dharamshala, Distt. Kangra (HP). This notice is under Section 35(3) of Bhartiya Nagrik Suraksha Sanhita, 2023 (BNSS). It is stated that he was to appear before the Investigating Officer on 1st May 2026. However, since there was no protection granted to him, he could not remain present. The Applicant states that he himself is cheated by the same online platform and that, he himself is a victim. Although the notice is sent under Section 35(3) of BNSS, however, the period has expired and the Applicant did not go to Dharmshala in response to the said notice. There is an apprehension that, now he may be arrested, if he goes to Dharmshala, therefore, he has moved the present Application.

2) Mr. Mayur Sonavane, the learned A.P.P. appearing for the Respondent-State submits that an apprehension may not be correct and he prays for dismissal of the Application.

3) Admittedly, the Applicant is not named as accused in the FIR.

Admittedly, there is a notice issued to the Applicant under Section 35(3) of the BNS. The apprehension about arrest, in the event the Applicant goes to Himachal Pradesh appears to be genuine. In these aforesaid circumstances, I am inclined to grant protection to the Applicant, so as to visit and apply for anticipatory bail in Himachal Pradesh. Therefore, the following Order is passed :-

: ORDER :

- (i) In the event of arrest of Applicant in connection with Crime No.11/2025, registered with Cyber Crime Police Station, District. Dharamshala (Kangra), Himachal Pradesh, for the offences under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023, the Applicant be released upon furnishing a PR. bond of Rs.10,000/-, in one or two sureties in the like amount.
- (ii) The said Order of transit bail shall be limited for a period of three weeks to enable the Applicant to approach the concerned investigating agency at Dharamshala, District Kangra, H.P

(iii) In the light of the aforesaid, nothing survives in this Application. Hence, the Anticipatory Bail Application No.1146 of 2026 is disposed off.

(SANDESH D. PATIL, J.)