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

\+ BAIL APPLN. 201/2026

MD SARFARAZ .....Petitioner

Through: Mr. Md. Nawan, Mr. Atif Adnan, Advocates.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Aashneet Singh, APP

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

<u>O R D E R</u>

% 18.03.2026

1. By way of this application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks grant of regular bail in connection with FIR No. 45/2025 dated 25.09.2025 registered at Cyber Police Station (West), under Sections 318(4)/319(2) of the Bharatiya Nyaya Sanhita, 2023 ["BNS"].

2. I have heard Mr. Md. Nawan, learned counsel for the petitioner, and Mr. Aashneet Singh, learned Additional Public Prosecutor for the State. The complainant is also present in Court.

3. Mr. Singh has handed over a status report, which is taken on record.

4. The case of the prosecution, as it emerges from the said status report, is that the complainant responded to an advertisement for a part-time job on Instagram in the first week of September 2025. She was

contacted by some persons online to perform certain tasks and invest money on the promise of high returns. She initially paid small amounts, which were used to gain her trust, pursuant to which she was persuaded to deposit large amounts on fake investment platforms. She was shown fake profits and informed that her account had been frozen on various pretexts, compelling her to deposit more money. Ultimately, she had paid a sum of Rs. 15,94,000/-, but when no genuine return was received, she realized that she had been de-frauded, leading to registration of the aforesaid FIR.

5. The prosecution has traced the amount and found that a total of Rs. 6,00,000/- was traced to the accounts of co-accused Sabbir Ahmad [Rs. 4,00,000/- was found in his account in Bank of India and Rs. 2,00,000/- in his account in State Bank of India].

6. The role of the present petitioner, as described in the status report, is that, on 08.09.2025, he accompanied co-accused Sabbir Ahmad, who made a cash withdrawal from the State Bank of India, Vasant Vihar Branch, Delhi, *vide* a cheque of Rs.7,50,000/-. The CCTV footage of the Bank shows the petitioner's presence with co-accused Sabbir Ahmad at the time of the aforesaid transaction. It is further alleged that a sum of Rs. 2,50,000/- was recovered from the residence of the petitioner.

7. Mr. Nawan submits that there is no material on record to link the petitioner with the commission of the offence. The petitioner has only been found to have accompanied co-accused Sabbir Ahmad to withdraw money from his bank account. No money involved in the transaction has been traced to the petitioner's account.

8. Mr. Singh and the complainant, who is present in court, on the other hand, submit that the petitioner's presence alongwith co-accused

Sabbir Ahmad in the bank, itself demonstrates his complicity in the proceedings and in dealing with the proceeds of crime.

9. Mr. Singh confirms that the investigation has been completed, and the chargesheet has been filed.

10. Having regard to the case made out against the petitioner, I am of the view that the petitioner is liable to be granted bail in the present case. The only role attributed to him is that he accompanied co-accused Sabbir Ahmad, who withdrew an amount of Rs. 7,50,000/- from his bank account. There is no allegation that any of the proceeds of crime were traced to any of the bank accounts of the petitioner herein.

11. The petitioner admittedly has no other criminal involvement.

12. In view of the aforesaid, as far as the present petitioner is concerned, it is directed that he will be released on regular bail in connection with FIR No. 45/2025 dated 25.09.2025 registered at Cyber Police Station (West), subject to furnishing a personal bond of a sum of Rs. 25,000/-, with one surety of the like amount, to the satisfaction of Trial Court/Duty Magistrate, and subject to the following conditions:

A. The petitioner shall appear before the Trial Court on each and every date of hearing;
B. The petitioner will furnish his mobile number to the Investigating Officer ["IO"], and shall keep the said mobile phone running and always switched on. The mobile number shall not be changed or switched off without prior intimation to the IO;
C. The petitioner will give his residential address to the IO, and will not change his residential address without prior intimation to the IO;

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

a. The petitioner shall not commit any offence during the period of his release.

13. The bail application is disposed of in terms of the above.

14. It is clarified that any observations made in the present order are solely for the purpose of deciding the present bail application, and shall neither influence the trial proceedings, nor be construed as an expression of opinion on the merits of the case.

15. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

PRATEEK JALAN, J

MARCH 18, 2026
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