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

% **Date of Decision: 28th January, 2026**

+ **BAIL APPLN. 353/2026
RAJENDRA KUMAR**

.....Petitioner

Through: Mr. Sanjeev Bhatia, Mr. Sunita and
Ms. Komal, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Naresh Kumar Chahar, APP for
the State with Insp. Raj Kumar Pal.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Applicant seeks anticipatory bail in case FIR No. 026/2025 under Sections 308/318(4)/319/340 BNS, 2023 (corresponding 383/384/385/386/387/388/389/420/416/419/470/471 IPC) registered at P.S. Special Cell on 04.07.2025.
2. The facts in brief are that complainant-Vijay Kumar Kathuria, who is in his seventies, reported about online financial fraud amounting to Rs. 1,38,18,100/-. He revealed that some unknown persons, who were impersonating as IPS Officers from Mumbai Police, had placed him under 'digital arrest', alleging that the complainant was involved in some money-laundering case.
3. The foremost reason assigned for the grant of anticipatory bail is that the alleged cheated amount has been transferred to an account belonging to



M/s Fox Care Technology Pvt. Ltd., in which one Mr. Sayed Solef Ulla is the Director, who is already in custody. It was during such custody that Mr. Sayed Solef Ulla had taken the name of the applicant, thereby compelling the applicant filing the present application seeking protection in the form of anticipatory bail.

4. Learned counsel for applicant submits that the applicant is ready to join investigation immediately. He further submits that any such statement made by co-accused has no evidentiary value and cannot be used against the applicant.

5. Learned APP for the State appears on advance notice and opposes the present application.

6. I have heard learned counsel for the applicant at length and gone through the material on record. Merely, because, applicant is ready to join investigation would not, automatically, entitle the applicant for grant of anticipatory bail, especially when the case at hand is a complex one involving substantial amount. Moreover, according to the statement of Mr. Sayed Soleh Ulla, the present Applicant is alleged to be the mastermind behind the whole online fraud.

7. The power under Section 482 BNSS, 2023 (corresponding Section 438 CrPC) is an extraordinary remedy which is to be put in motion when there is reasonable belief of likely arrest on false or motivated grounds. Such discretionary power needs to be exercised with caution in complex cases, such as the present one.

8. In the case in hand, the cheated money of Rs.1.38 crores has yet not been recovered and as per the report of the Investigating Agency, the accused/applicant had handled the alleged amount and was instrumental in



transferring amount of Rs.97,82,500/- to other bank accounts. The prosecution also relies upon CCTV footage which shows that he was in constant touch with his other co-accused, which fact also lays bare his complicity in the online fraud in question. It is also apprised that, though, the accused was served with notice under Section 35(3) BNSS, 2023 (corresponding Section 41/41A Cr.P.C.) but he did not join the investigation.

9. Keeping in mind the overall facts, it is quite clear that the custodial interrogation in the present matter would be imperative.

10. In view of the above, application seeking anticipatory bail is hereby dismissed.

(MANOJ JAIN)
JUDGE

JANUARY 28, 2026/ss/pb