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

+ BAIL APPLN. 1197/2026, CRL.M.A. 9135/2026

PANKAJ GUPTA

.....Applicant

Through: Mr. Vimal Tyagi, Mr. Gaurav Tyagi, Mr. Deepanshu Babla, Mr. Jatin Nagar and Mr. Vaibhav Tyagi, Advs.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP for the State with Ms. Vanshika Singh and Mr. Apporva Khosla, Advocates with SI Vibhu Sharma, SP.: Subzi Mandi.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

25.03.2026

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1. By virtue of the present application under *Section 482* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the applicant seeks grant of anticipatory bail in FIR No.78/2026 dated 06.02.2026 registered at PS.: Subzi Mandi, Delhi under *Sections 112(2)/318(4)/317(5)/3(5)* of the Bharatiya Nyaya Sanhita, 2023 (**BNS**).

2. Out of the various grounds taken, learned counsel for the applicant submits that even though the applicant is not named in the FIR, he has been brought into the picture based on the statement of a co-accused, namely, Ms. Neha. Also, since the range of cheated funds is between Rs.1,06,800/- to Rs.2,15,938/-, the present is a fit case for grant of anticipatory bail. The applicant is ready and willing to join the investigation, if as and when called by the concerned Investigating Officer



(IO).

3. Issue notice. Learned APP for the State accepts notice.

4. Learned APP for the State submits that the applicant has prior antecedents being FIR No.05/2023 and FIR No.04/2026 involving similar economic offences and although the IO has served as many as *three notices* to the applicant for joining the investigation, however, the applicant was neither present at his residential address as available, nor has he joined to participate in the investigation till now. Thus, considering the non-availability of the applicant, there is a dire need for his custodial interrogation, especially considering the nature of the offence involved.

5. *Prima facie*, though the name of the applicant has not been disclosed by a co-accused, however, considering that he is involved in an economic offence which have far in the cyber world having its tentacles spread wide, and since it is involving more than one transactions/ accounts/ entity operating through different timelines requiring too much spadework custodial interrogation of the applicant to find out about the same will be required. Also, the non-availability as also the conduct of the applicant in evading service and not participating in the investigation by appearing before the IO does not infuse confidence in granting bail to him. There is, thus, no reason for the applicant being granted anticipatory bail

6. In view of the above, the present applications are dismissed.

SAURABH BANERJEE, J

MARCH 25, 2026/bh