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

\+ BAIL APPLN. 2102/2026, CRL.M.A. 17329/2026, CRL.M.A. 17330/2026

SUNNY .....Petitioner

Through: Mr. C Mohan Rao, Sr. Adv. with Mr. Lokesh Kumar Sharma Advs

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Tarang Srivastava, APP
SI Ajit

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 29.05.2026

1. By way of the present application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ["BNSS"], the applicant seeks regular bail in connection with FIR No. 132/2024 dated 06.04.2024, registered at Police Station Special Cell, for offences punishable under Sections 420/120B of the Indian Penal Code, 1860 ["IPC"].

2. The prosecution case, as emerging from the reply filed to the applicant's bail application before the learned Sessions Court, is as follows:

a) The FIR was registered on the basis of a complaint lodged by one Mr. Jitendarjit Singh Ahluwalia, a senior citizen, who stated that his mobile number was added to a WhatsApp group namely "*A7*

BlackRock Stock Pull Up Group". It is alleged that members of the said group induced him to download a mobile application, pursuant to which he came into contact with certain persons, namely Parth, Suvash and Ritika, who provided him with tips relating to the purchase and sale of stocks. Acting on such representations and instructions, the complainant transferred a total sum of Rs. 1,16,00,000/- from his bank account to various bank accounts, as directed by the said persons, during the period between 31.01.2024 and 24.03.2024.

b) Out of the aforesaid amount, a sum of Rs. 46,00,000/- was transferred to a bank account bearing No. 259818690827 maintained with IndusInd Bank in the name of "*M/s. Sunny Traders*", which is a proprietary concern of the applicant herein.

c) The KYC details of the aforesaid bank account further revealed that the same is registered in the name of the applicant, and is linked to mobile number 9818690827, which also stands registered in the applicant's name. The bank account is also linked to the email ID *s89806439@gmail.com*, which is, in turn, associated with the same mobile number.

d) The applicant thereafter transferred the said amount to three other bank accounts, thereby further layering the proceeds of the transaction.

e) During the course of investigation, it was found that the office address of M/s. Sunny Traders was non-functional/closed, and local inquiry revealed that the said concern had remained operational only for a brief period of approximately three months, in the year 2024.

f) The applicant was apprehended on 15.09.2025 on the basis of secret information, and a notice under Section 35(3) of the BNSS was served upon him, directing him to join the investigation.

g) During the course of interrogation, he claimed that he had been introduced to one Saurabh Gupta by his friends, and had opened the aforesaid bank account bearing No. 259818690827 at his instance. He further stated that the said bank account was subsequently handed over to Saurabh Gupta in consideration of an amount of Rs.30,000/-.

h) The applicant was consequently arrested on 16.09.2025.

i) The aforesaid bank account is also stated to be linked with 18 other complaints pertaining to cyber frauds.

3. Mr. C. Mohan Rao, learned Senior Counsel appearing on behalf of the applicant, submits that the investigation in the present case stands concluded and that the chargesheet has already been filed. He further submits that the applicant has been in custody for a period of approximately eight months, and that the material collected during investigation, at best, indicates that the applicant had opened a bank account at the instance of one Saurabh Gupta, and had subsequently handed over the account details to the said person.

4. Mr. Tarang Srivastava, learned Additional Public Prosecutor, however, submits that the applicant's bank account is a direct beneficiary of an amount of Rs. 46,00,000/- out of the total sum of Rs. 1,16,00,000/-, alleged to have been cheated from the complainant in the present case. He further submits, on instructions from the Investigating Officer, who is

present in Court, that an aggregate amount of Rs. 4.5 crores has been credited into the said bank account, in respect of which 18 other complaints have also been registered.

5. Having heard learned counsel for the parties, I am of the view that this is not a fit case for grant of regular bail to the applicant. Although the chargesheet has been filed, the allegations against the applicant, even in respect of the present complaint alone, are grave in nature and prima facie borne out from the material collected during investigation. The record indicates that the applicant's bank account was credited with an amount of Rs.46,00,000/- out of the total sum of Rs.1,16,00,000/- allegedly cheated from the complainant, who is a senior citizen. The magnitude of the alleged proceeds received in the applicant's account, coupled with the role attributed to him, renders the grant of regular bail at this stage, inappropriate.

6. Allegations of this nature concern a broader pattern of organised online financial fraud, involving the use of digital platforms to target vulnerable senior citizens and other individuals in need of livelihood, who are induced to part with their hard-earned savings on the basis of false assurances of assured financial returns. The present case, therefore, cannot be viewed in isolation, particularly in view of the submission indicating that an aggregate amount of approximately Rs.4.5 crores has been credited into the said account, in respect of which as many as 18 other complaints have also been registered.

7. The Supreme Court in its recent decision in *Rakesh Mittal v. Ajay*

Pal Gupta[1], while considering the parameters governing grant of bail in economic offences, reiterated that the value of life and liberty is not confined to physical restraint alone, but extends to the economic well-being of individuals, and that in cases involving pecuniary offences, the *modus operandi* and overall conduct of the accused are relevant considerations at the stage of bail. In that context, the Court noted that:

> *"19. Though the observations made in some of the above cases were in the context of heinous offences, which is not the case presently, we may note that **the value of life and liberty of members of society is not limited only to their 'person' but would also extend to the quality of their life, including their economic well-being. In offences of a pecuniary nature, where innocent people are cheated of their hard-earned monies by conmen, who make it their life's pursuit to exploit and feast upon the gullibility of others, the aforestated factors must necessarily be weighed while dealing with the alleged offenders' pleas for grant of bail**.*
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> *20. In the case on hand, the investigation against respondent No. 1, as is borne out by the counter affidavit filed by the State, clearly demonstrates that he is a habitual offender. The number of diverse and unconnected aliases, fake IDs and the deliberate changes of identity, including his father's name, clearly manifest his nefarious intention to dupe innocent victims and cheat them."*[2]

8. Further, the Supreme Court has taken *suo motu* cognizance in *In Re: Victims of Digital Arrest Related to Forged Documents*[3], concerning incidents of cyber fraud and related scams, wherein the Court has highlighted the growing vulnerability of victims, particularly senior citizens, who are increasingly being targeted through such deceptive practices. The matter is presently pending consideration before the Court.

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[1] 2026 SCC OnLine SC 211.
[2] Emphasis supplied.
[3] Suo Moto Writ Petition (Criminal) No. 3/2025; Order dated 01.12.2025.

The relevant observation is as follows:

> "*These suo-motu proceedings were initiated on receipt of a complaint by this Court from a senior citizen couple who were defrauded of their life savings through a digital arrest scam. No sooner had cognizance been taken, various victims came forward, and some have also filed applications for their impleadment as intervenors. Pursuant to the directions issued through previous orders, it is now evident that multiple FIRs have been registered across different States based on complaints made by the victims.* ***The severity and scale of the crime are highlighted by the fact that several States have unanimously reported that senior citizens are most often targeted by fraudsters employing various deceptive tactics to deceive them.***"[4]

9. In these circumstances, having regard to the nature of the allegations, the manner in which the offence is alleged to have been committed, and its wider societal ramifications, the submission on behalf of the applicant that he is not likely to reoffend does not inspire confidence at this stage.

10. Although Mr. Rao contends that the applicant merely handed over his KYC documents to Saurabh Gupta, the said explanation cannot be conclusively adjudicated at this stage and is a matter for trial. At this stage, in view of the material collected during investigation, the said contention is not sufficient to displace the *prima facie* case made out against the applicant.

11. Having regard to the aforesaid facts and circumstances, I am not inclined to grant the concession of bail to the applicant herein.

12. The present bail application, alongwith pending applications is, therefore, dismissed.

13. It is clarified that any observations made in the present order are

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[4] Emphasis supplied.

solely for the purpose of deciding the present bail application and shall not influence the trial proceedings, nor shall they be construed as an expression of opinion on the merits of the case.

PRATEEK JALAN, J

MAY 29, 2026
Tg/SD/