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

\+ BAIL APPLN. 3263/2025

RAM KUMAR GUPTA .....Petitioner

Through: Mr. Lokesh Yadav, Advocate (through vc).

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Utkarsh, APP for the State.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

O R D E R

% 03.06.2026

1. This hearing has been done through hybrid mode.

2. The present application under Section 483 of the BNSS has been filed seeking regular bail in case of FIR No. 124/2025, under Sections 318(4)/319(2)/61(2)/3(5) of the BNS, registered at P.S. Special Cell.

3. The case of the prosecution, as per status report dated 11.10.2025, authored by Mr. Prem Chandra Khanduri, IFSO, Special Cell, Dwarka, Delhi, against the present applicant is as under: -

> "1. The above mentioned FIR No. 124/2025 U/s-318(4) /319(2) /61(2) /3(5) BNS PS Special Cell was registered on the complaint of Sh. Sanjay Kapoor S/o Late Jagdish Kapur r/o- 3, Aurangzeb Lane, New Delhi-110011, Age- 66 Yrs in which it was alleged that the complainant was cheated of an amount **₹52.56 lakh** on the pretext of investment in USDT. In December 2024 the complainant was contacted through Facebook by fraudsters. Later, he was contacted by an individual named Daksha Chowdari (WhatsApp

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Mobile No: +91 9032421490). He was provided with an invitation link through which his UID was generated on the website bitop-vip2.com. Over the time the fraudsters gained his trust and persuaded him to invest in USDT, promising lucrative profits.

2. Subsequently, after that, he was added to a WhatsApp group with the number +**1 (646) 266 9322**, where further discussions and transactions took place. There were many other members and group handlers, under their guidance and assurances, the complainant transferred a total of **₹52.56** lakh from his four different bank accounts to the fraudsters. The details of bank accounts/transactions are as under: -

S.No	Date of transaction	Amount (in Rs)	Alleged account (in Rs)	From Bank account of the complainant
1.	26.12.2024	1,00,000/-	20100029857368	923010069425850 (Axis Bank
2.	10.12.2024	1,00,000/-	29090210002827	5230694224 (Axis Bank)
3.	16.01.2025	2,00,000/-	83096116868	1108101841 (Central Bank of India)
4.	27.01.2025	2,00,000/-	17410200003251	5230694224 (Axis Bank)
5.	13.02.2025	6,65,000/-	83096495867	5230694224 (Axis Bank)
6.	14.02.2025	5,00,000/-	29120210001127	5230694224 (Axis Bank)
7.	**24.02.2025**	**8,85,600/-**	**10079468394**	**5230694224 (Axis Bank)**

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8.	**28.02.2025**	**15,00,000/-**	**10079468394**	**5230694224 (Axis Bank)**
9.	06.02.2025	10,00,000/-	20100036874580	923010070015880 (Axis Bank)

3. Further, during investigation one of the 1st Layer accounts was identified as IDFC Bank Account No.:10079468394 opened in name of Dr. Realty and name of the Account Holder was found to be Ram Gupta s/o Rajesh Gupta r/o A-808, Ithum Tower, Sector-62, Near Electronic City Metro, Noida, UP- 201301(applicant). Working as Director of Dr. Realty, the mobile number registered with the account was found to be 9616163999. This account had received a total amount of 23,85,600/-. The same amount was transferred in parts as 28,85,600/- on 24.02.2025 and 15,00,000/- on 28.02.2025 were transferred which was further transferred into different accounts on the same day.

4. On 18/04/25 Ram Gupta S/O Rajesh Gupta r/o Flat No. 30077, Tower J, 14th Avenue, Gaur City 2, Greater Noida, Uttar Pradesh- 201009, Age- 45 Years from his possession the device and SIM card which was used for receiving message, OTP etc. from the bank were recovered. The same device and SIM card were used in commission of crime.

5. During investigation he disclosed that he had met a person namely Vijay Lamba @ Jimmy, whom he was introduced through some unanimous person on Face book. It was found during the investigation that the accused/applicant along with co- accused Vijay Lamba @ Jimmy were present in Lucknow when he had received the cheated amount in his account. Further the same amount was transferred into different accounts with help of co-accused namely Vijay Lamba @ Jimmy.

6. During investigation search of co-accused Vijay Lamba @ Jimmy was made but he could not be traced, yet was not found.

7. As per National Cyber Crime Reporting Portal, the account

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of the accused/application is involved in 11 complaints of Cyber Crime across India.

8. The charge sheet against the applicant Ram Kumar Gupta has already been filed before the Ld. Trial Court, Patiala House, New Delhi. Further investigation qua other co-accused is going on. Next date of hearing is 04.11.2025

9. POINTS FOR CONSIDERATION FOR OPPOSING THE BAIL.

1. The accused/ applicant was actively involved in syndicate of online Cyber Crime.

2. The accused/ applicant is the direct beneficiary of the cheated amount of the present case. He had received **₹23,85,600/-,** in his account which was transferred to other accounts

3. The accused may commit similar offence."

4. Learned counsel for the applicant submits that in the present FIR chargesheet stands filed, and the case is at the stage of prosecution evidence. It is further submitted that the applicant was arrested on 18.04.2025, and the applicant is not involved in other previous offences. It is further submitted that the applicant was released on interim bail for a period of 15 days *vide* order dated 09.02.2026 by learned Predecessor Bench, and he had duly surrendered after expiry of the said period, without misusing the liberty granted to him. It is further submitted that the applicant is ready to abide by any condition which may be imposed by the Court.

5. *Per contra*, learned APP for the State submits that, as per the status report, the bank account of the present applicant is involved in 11 other complaints with respect to cyber crimes across India.

6. On a pointed query, it is submitted that as of now, in the investigation,

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nothing has come on record to show that the applicant had utilised any of the crime proceeds in his personal capacity. It is further submitted that, as of now, there is no other previous involvement of the present applicant in terms of FIR being registered.

7. As per nominal roll, as on 10.04.2026, the applicant had undergone incarceration for 11 months 23 days, and his conduct during said period is shown 'satisfactory'. Considering the incarceration of the applicant as well as the fact that the trial has commenced, no useful purpose will be served by keeping the present applicant in further incarceration.

8. In the totality of the facts and circumstances of the present case, the present application is allowed, and he is directed to be released on bail, on his furnishing a personal bond of Rs.50,000/- with one surety of like amount, to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions: -

i. The applicant shall not leave India without prior permission of the learned Trial Court.

ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.

iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.

iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.

v. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.

9. The application is allowed and disposed of accordingly.

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10. Pending applications, if any, also stand disposed of.

11. Next date of hearing*, i.e.,* 05.08.2026, stands cancelled.

12. Needless to state that, nothing mentioned hereinabove, is an opinion on the merits of the case, and any observations made herein are only for the purpose of the present bail application.

13. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.

14. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 3, 2026/bsr/ns

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