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

% *Date of Decision: 02.11.2026*

\# **CNR No. DLHC010527982026**

\+ **BAIL APPLN. 4687/2026, CRL.M.A. 34429/2026 & CRL.M.(BAIL) 2107/2026**

SOURAV .....Petitioner

Through: Mr. Amit Sharma, Advocate.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Amit Ahlawat, APP for State with Ms. Megha Garg, Advocate with IO/SI Amit.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in case eFIR No. 60002513/2026 of PS Cyber Police Station, Outer North for offence under Section 112/318(4)/317(2)/317(5)/319/61(2) of BNS.

2. Broadly speaking, the eFIR in this case was registered on the basis of online complaint alleging cyber enabled Android Package Kit (APK) fraud in which the complainant *de facto* was defrauded of Rs.6,34,000/- and the

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money was layered and diverted into multiple payments of credit cards. One such credit card, which was refilled with Rs.40,970/- out of the cheated money, belonged to one Karan Arjun, a resident of Nasik, Maharashtra, who disclosed that the settlement of his credit card bills had been arranged through Shiv Enterprises on recommendation of his friend Ankush. Further investigation into Shiv Enterprises revealed that it had been receiving funds by transfers from one Rahul operating in Delhi, on whose mobile phone, it came out that he was operating via a pocket router to conceal the digital footprints. Sustained surveillance of the mobile phone number of Rahul revealed transactions with Malabar Gold and Diamonds, who confirmed that fraudulent gift vouchers worth Rs.1,68,000/- had been purchased to procure gold jewellery under fictitious identity. The physical delivery of that gold consignment was tracked and stalled. The technical intelligence led to a police trap in Jalandhar, Punjab, in which the present accused/applicant was intercepted while arriving to collect the jewellery parcel. At that time, the accused/applicant was accompanied with his brother-in-law, who managed to escape. One operational mobile phone with pocket router was recovered from the personal search of the accused/applicant. On 19.08.2026, the accused/applicant was arrested.

3. Learned counsel for accused/applicant contends that he has compromised the dispute with the complainant *de facto,* to whom he has paid back the entire cheated amount, so he deserves to be released on bail. It is submitted by learned counsel that the compromise arrived at between the accused/applicant and the complainant *de facto* was reduced into writing and

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on the basis thereof, the accused/applicant has already filed a petition before this court for quashing of the FIR.

4. Learned APP for State assisted by Investigating Officer/SI Amit accepts notice and strongly opposes the bail application on the ground of gravity of offence. It is submitted by learned APP that the accused/applicant is involved in eight more FIRs for offences similar to the present case. Learned APP also submits that the proceeds of crime in the present case itself range between Rs.4 crores to Rs. 5 crores.

5. The offence alleged against the accused/applicant is not conventional cheating. It is an offence where the offender remains concealed behind digital smokescreen. In the present case, as mentioned above, even digital footprints cannot be tracked easily on account of use of pocket router.

6. It is not the single case in which the accused/applicant is involved. As mentioned above, the accused/applicant is involved in as many as eight cases of similar frauds.

7. As regards the compromise arrived at between the accused/applicant and the complainant *de facto,* it is trite that such compromise cannot be a ground to grant bail. For, the criminal courts are not the forum for recovery of money. Besides, even in the present FIR, there are multiple victims, with the total tune of fraud ranging between Rs. 4 crores to Rs. 5 crores and admittedly there is no such settlement with those remaining victims, though that in itself also would not serve as a ground for bail.

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8. The accused/applicant was arrested on 19.08.2026 and charges are yet to be framed before the trial court.

9. Keeping in mind the gravity of offence and its expanse, both horizontally and vertically, I do not find it a fit case to grant bail. The bail application and accompanying applications are dismissed.

10. Copy of this order be sent to the concerned Jail Superintendent for informing the accused/applicant.

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GIRISH KATHPALIA
(JUDGE)

NOVEMBER 2, 2026/*ry*

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