



2026:DHC:3758



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

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Date of Decision: 04.05.2026

+ **BAIL APPLN. 1698/2026 & CRL.M.A. 13668/2026**

ALINA FRANCIS

.....Petitioner

Through: Mr. Sandeep Garg, Ms. Anishka Bagla, Mr. B. L. Garg and Mr. Vivek Balhara, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP with SI Azad Singh, PS Mayur Vihar Phase-1.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks anticipatory bail in case FIR No. 52/2026 of Police Station Mayur Vihar, Phase-I for offence under Section 318(4)/112(2) BNS.

2. Broadly speaking, according to prosecution case, the accused/applicant is involved in cyber fraud related to online jobs. It appears that upon receipt of multiple online complaints from across the country, the Delhi Police launched a special drive titled 'Operation CyHawk 3.0' to



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dismantle the organized syndicate. In the course of investigation, the police found that the cheated amount was routed into the bank account held by the accused/applicant in the Indian Overseas Bank, Mayur Vihar. According to the account opening form, the account holder accused/applicant is a resident of Kotla Village, Mayur Vihar, Delhi. It was found that during the period from 12.12.2025, when that account was opened, till 31.12.2025, transactions amounting to Rs. 1,54,000/- were credited into the said account and the same were withdrawn and routed through mule pattern, indicating a structured cyber fraud. In the course of investigation, it was found that the accused/applicant is not a resident of Kotla Village, but of Kotgaon, Ghaziabad, UP.

3. Learned counsel for accused/applicant submits that the accused/applicant herself is a victim of cyber fraud as she was compelled to open the bank account with Indian Overseas Bank in Delhi, but she was never delivered the bank account kit, so she was not aware about deposit of money in her bank account. It is also submitted by learned counsel that the accused/applicant is a student, so deserves to be granted protection from arrest, otherwise her career would suffer.

4. Learned APP for State assisted by Investigating Officer/SI Azad Singh submits that the severity of offence cannot be ignored merely because the accused/applicant is a student. It is submitted that according to plethora of judicial pronouncements, anticipatory bail in such cases ought not to be



granted. It is also submitted that custodial interrogation of accused/applicant is required in order to unearth the entire racket.

5. In the course of arguments, the Investigating Officer produced before me the investigation file according to which, the subject bank account was opened by the accused/applicant on the basis of her Aadhaar Card, which bears her address as 117, Kotla Village, Mayur Vihar Phase-1, Delhi but she was not found at that address by the Investigating Officer.

6. The stand taken by the accused/applicant is not that she did not open the subject bank account. The stand taken by her is that she was compelled to open that bank account. There is no clarity in the submission as to who compelled her to open the bank account with the help of fake Aadhaar Card. It is submitted by learned counsel for accused/applicant at this stage that the accused/applicant had disclosed to the Investigating Officer that she was compelled to open this bank account by one Aakash. In response to a specific query, learned counsel for accused/applicant submits that Aakash is not any friend or relative or even acquaintance of the accused/applicant.

7. Another question that remains unanswered as to if the accused/applicant did not receive the bank account kit, why did she not write to the bank in this regard.

8. I have also perused the bank account statement, which reflects



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transactions with some Manisha, Subhash and Shail. But learned counsel for accused/applicant submits that they are not known to the accused/applicant.

9. Keeping in mind the aforesaid, especially the stage of investigation, the need expressed by the Investigating Officer for custodial interrogation of the accused/applicant does not appear to be unjustified.

10. Therefore, the anticipatory bail application and the accompanying application are dismissed.

**GIRISH KATHPALIA
(JUDGE)**

MAY 04, 2026/dr