



2026:DHC:9018



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

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Date of Decision: 12.10.2026

CNR No. DLHC010442502026+ **BAIL APPLN. 3913/2026**

VINAY TYAGI

.....Petitioner

Through: Mr. Jitendra Kumar Singh, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Ahlawat, APP for State
(through videoconferencing) with
Inspector Ajay Kumar.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks regular bail in case FIR No.36/2026 of PS Special Cell for offence under Section 308/318(4)/319/340 of BNS.
2. In furtherance of last order, status report was filed.
3. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/Inspector Ajay Kumar.
4. Broadly speaking, allegation against the accused/applicant is as follows. The complainant *de facto* alleged having been subjected to digital

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arrest by few persons impersonating as police officers; and he also alleged having been induced to transfer a sum of Rs.1,04,49,999/- into mule bank accounts. Out of that amount, a sum of Rs.14,00,000/- was credited in the bank account of one M/s Shri Gupta Trading Company, of which the authorized signatory is the co-accused Sanju. It is further alleged that the co-accused Sanju had shared those banking credentials with co-accused Sanjay, who shared the same with the present accused/applicant, who in turn shared the same with co-accused Sachin and one Chinese national, named Chilly.

5. Learned counsel for accused/applicant submits that he is in custody since 01.07.2026 without any legally admissible evidence. It is submitted that except the alleged confessional statements of co-accused persons when they were in custody, no other evidence has been collected to connect the accused/applicant with the alleged offence. It is submitted that Sanju has not even arrested.

6. Learned APP for State strongly opposes the bail application, submitting that apart from the disclosure statements, the IO also collected electronic evidence in the form of the signed cheque of the mule account in which the allegedly cheated amount had been deposited, and the accused/applicant is a member of multiple Telegram groups engaged in circulation of mule accounts.

7. Of course, the offence alleged is extremely serious in nature. As alleged, few persons impersonated themselves as police officers and carried out digital arrest of the complainant *de facto*, compelling him to transfer

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huge amount of money to certain mule accounts. But mere seriousness of the allegation is not enough while considering the issue of bail. The Court also must examine as to whether there is sufficient evidence connecting the accused with the offence alleged.

8. Admittedly, the present accused/applicant is not one of the persons, who impersonated themselves as police officers and carried out the alleged digital arrest. Also admittedly, the accused/applicant is not holder of the bank account, which was first layer or even second layer mule account. Even as regards the alleged sharing of the banking credentials, there is no evidence to establish that the accused/applicant received any money for the said sharing.

9. As per prosecution case, the first layer beneficiary account was of M/s Shri Gupta Trading Company and it is alleged that co-accused Sanju is the authorized signatory of that account. But in response to a specific query, the IO submits that he did not find out as to whether M/s Shri Gupta Trading Company is a proprietorship concern or a partnership firm or a company. The IO is not aware as to who is/are the proprietor/partners/directors of M/s Shri Gupta Trading Company. Rather, as mentioned above, Sanju, the holder of first layer beneficiary account was not even arrested. It is with such scanty investigation that prosecution wants to keep the accused/applicant behind the bars.

10. Going a step deeper, I also called upon the IO to show me the so-called electronic evidence against the accused/applicant. What is shown to

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me is screenshot of some text messages to Chilli, which disclose the alleged beneficiary bank account credentials. But IO submits that there is nothing to show that the said screenshot was taken from mobile phone of the present accused/applicant. So, even the so-called electronic evidence, *prima facie*, fails to connect the accused/applicant with the alleged offence.

11. Of course, I must add a cautious rider that the above observations have been recorded only as an analysis of the rival arguments at the stage of bail, so at the appropriate stage of framing charge or final stage, the trial court shall take independent view on the basis of material on record.

12. For the time being, I find no reason to deprive further liberty to the accused/applicant. Therefore, the bail application is allowed and the accused/applicant is directed to be released on bail subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.

13. A copy of this order be immediately transmitted to the concerned Jail Superintendent for being conveyed to the accused/applicant forthwith.

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(JUDGE)

OCTOBER 12, 2026/dr

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