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

% *Date of decision: 11th November, 2025*

+ **BAIL APPLN. 4035/2025**

BHUPESH ARORA

(presently in Judicial Custody)

Through Pairokar

S/o Sh. Gulshan Arora

.....Petitioner

Through: Mr. N. Hariharan, Senior Advocate
with Mr. Vishal Chhabra, Mr. Manish
Gupta, Mr. Deepak Tushir, Mr. Rohit
Tandon, Ms. Punya Rekha Angara,
Ms. Vasundhara N, Mr. Aman Akhtar,
Ms. Sana Singh, Ms. Vasundhara Raj
Tyagi and Ms. Gauri Ramachandran,
Advocates.

versus

DIRECTORATE OF ENFORCEMENT

Through its Director

Pravartan Bhawan, Dr. APJ Abdul Kalam Road, New Delhi.

.....Respondent

Through: Mr. Zoheb Hossain, Special Counsel
with Mr. Vivek Gurnani, Panel
Counsel, Mr. Kartik Sabharwal, Mr.
Pranjal Tripathi and Mr. Kanishk
Maurya, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

CRL.M.(BAIL) 2219/2025 (for Interim Bail)

1. Bail Application under Section 483 read with Section 528 of the
Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as*



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'B.N.S.S.') (Section 439 read with Section 482 of the Code of Criminal Procedure, 1973) (hereinafter referred to as 'Cr.P.C.'), has been filed on behalf of the Applicant Bhupesh Arora seeking **Interim Bail on account of the ill health of his mother** in the ECIR No.ECIR/HYZO/46/2022 under Section 3/4 of Prevention of Money Laundering Act. 2002 (hereinafter referred to as 'PMLA') dated 14.10.2022.

2. It is submitted that the Applicant was formally arrested under Section 19 of the PMLA, on 11.07.2025. Following his arrest, he was remanded to the custody of the Directorate of Enforcement till 16.07.2025 and was subsequently transferred to judicial custody, where he is incarcerated till date.

3. The Prosecution Complaint has been filed against the Applicant in the Court on 27.08.2025. The case is at the pre-cognizance stage and service upon the accused individuals, has not been completed as yet. Crucially, the investigations concerning the Applicant, has concluded.

4. The Applicant has filed Regular Bail Application No. 4035/2025, which is pending consideration, in which the next date is 11.12.2025. Hence, the present Interim Bail Application has been filed. The present Bail Application, is not on the merits but only on the urgent need/requirement at home.

5. The Bail is sought on the **ground** that there is a serious medical emergency concerning his mother, Smt. Asha Rani, who is suffering from a severe hip ailment. She has been medically advised to undergo a *Total Hip Replacement (THR)* by Lady Hardinge Medical College and Hospital. The surgery is scheduled for 21.11.2025 as per the prescription of Lady Hardinge Medical College, which substantiates that a medical necessity and urgency of surgical procedure exists. The family, however, intends to proceed with the



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surgery at a private medical facility, depending upon the health condition and logistical feasibility at the relevant time.

6. The Applicant's attendance is required to complete the pre-operative formalities and to ensure that the mother receives proper pre & post-operative care. The mother's medical history demonstrates the course of her treatment, including the X-Ray at Sir Ganga Ram Hospital on 05.08.2025, consultation at Lady Hardinge Medical College and Hospital on 08.08.2025 and a subsequent admission to the Ortho Ward for evaluation from 19.08.2025 to 21.08.2025. The procedure was first scheduled for 29.09.2025, but it has been deferred.

7. It is further submitted that the other members of the Applicant, are also suffering multiple medical and personal hardships and there is no other family member to provide adequate care and support except the Applicant himself.

8. The Applicant's wife underwent multiple surgeries in 2023 to address complications arising from ovarian cysts. His father, Mr. Gulshan Kumar is also a patient of seizure and is currently under treatment at Arvind Hospital, Karnal. Owing to these circumstances, the entire family is dependent upon the Applicant for emotional, logistical and medical support, making his presence indispensable for managing their care and well-being. The prescriptions belonging to Ms. Sunaina Arora, his wife and Mr. Gulshan Kumar, his father, are annexed along with the Application.

9. It is further submitted that his daughter Ms. Shaifali Arora, aged about 15 years, is suffering from a neurological illness and experiences repeated seizure episodes. As per her MRI Report dated 20.07.2024 from Fakeeh University Hospital, certain abnormal changes were found in her brain, which required regular medical attention and constant supervision.



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10. The Applicant, therefore, seeks Interim Bail strictly on humanitarian and compassionate grounds. His presence is essential to manage their medical care, to provide support for his mother during the impending surgery and subsequent recovery. Hence, the prayer is made for grant of Interim Bail for a period of one month.

11. The ***Respondent/ED in its Reply***, has opposed the Interim Bail Application. It is submitted that ECIR No. ECIR/HYZO/46/2022 under Section 3 and 4 of the PMLA dated 14.10.2022, was recorded on the basis of FIR disclosing commission of scheduled offences under Section 419 and 420 IPC viz. FIR No.1352/2022 dated 26.07.2022 registered by the Police Station Cyber Crime, Hyderabad.

12. The FIR was registered on the written complaint of one Mohd. Ghouse Pasha alleging fraud of Rs.1.16 Lakhs by unknown persons running an investment app named '*LOXAM*' claiming to be related to a reputed French MNC Group of the same name, offering unrealistically high returns on investment. The Charge-Sheet has been filed against 15 persons, by Hyderabad Police.

13. The investigation carried out by the Police Station Cyber Crime Hyderabad revealed that the cheated money was collected in the account of one *M/s Xindai Technologies Pvt. Ltd.*, which was opened by one Mr. Virendra Singh on the instructions of Mr. Jack, a Chinese national, and gave the Internet Banking credentials to Mr. Jack. By using the same Mobile Number linked to the account of *M/s Xindai Technologies*, other Bank Accounts in the name of *M/s Betench Networks Pvt. Ltd.*, were opened by one *Mr. Sanjay Yadav of Delhi*, upon the instructions of *Mr. Lee @ Li Zhongjun*, a Chinese national. Sanjay Yadav had opened 15 other Bank



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Accounts and gave the Banking credentials to one Mr. Chu Chun-Yu (a Taiwanese national, temporarily staying in Mumbai), who further sent the bank credentials and linked SIM cards to China Town Building, Preh Sihanoul, Cambodia. Sanjay Yadav and Mr. Virender Singh received Rs.1.2 Lakhs commission per account from Li Zhongjun @ Lee (Chinese).

14. It was further revealed that *Mr. Chu Chun-Yu (Taiwanese)* had come in contact with some Chinese nationals namely, Hua Zho, Bei Ge and others through Telegram app and had established a Company '*Hexion*' in Cambodia and were running online investment apps/websites, online betting apps, online fraud gaming apps across the globe and mostly were concentrating on Indians. Hua Zho and Bei Ge had created the investment app '*LOXAM*'. Money/Commission was offered to Indians for opening current accounts and provide the internet banking credentials and registered SIM Cards. *Chu Chun-Yu* visited India in July, 2022 and stayed in Mumbai and collecting banking kits and related SIM Cards and sent them to China Town Building, Preh Sihanoul, Cambodia, on the instructions of Hua Zho and Bei Ge.

15. During the course of investigations under PMLA, the statements of various individuals were recorded under Section 50 of PMLA, search were conducted, bank statements of various individuals and entities were scrutinised. The investigation in the subject Case is ongoing and the investigation conducted so far has revealed that there is a huge network of individuals and entities, which are defrauding the gullible individuals with their money and creating shell Companies by using credentials of innocent and ignorant young individuals. Such shall Companies have been used to launder the defrauded amounts (proceeds of crime), thereby jeopardising their lives.



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16. It is revealed that the proceeds of crime generated by cheating victims in the guise of online investment, were transferred from the Virtual accounts of *M/s Xindai Technologies Pvt. Ltd.* through Epocket payment gateway to around 38 mule bank accounts including those of 03 Hyderabad-based persons, namely, Syed Sultan, Mirza Nadeem Baig and Mohd. Parvez. Current Accounts were opened by Mirza Nadeem Baig and Syed Sultan on the instructions of one Mr. Imran, temporarily working and residing in Dubai, who further passed on the bank account details to the masterminds of the investment scam.

17. So far as the Applicant is concerned, *his role* has been defined as being the Central mastermind and ultimate beneficiary of a large-scale money laundering syndicate and proceeds of crime. He devised and executed a scheme for routing unaccounted funds generated from commission of scheduled offence. His role is not confined to passive participation, but extends to *planning, directing, controlling and managing* every stage of the laundering cycle-placement, layering and integration-with both domestic and international dimensions.

18. The Applicant projected himself as a businessman engaged in the trade of gift vouchers, card trading, and later, ventures in Dubai. However, inquiries revealed that these activities were mere a facade for laundering illicit funds. He was instrumental in incorporating and operating various companies. While these entities were formally registered in the names of employees, relatives or acquaintances-including his sister, Sonia, father, Mr. Gulshan Arora, cousin Mr. Akshay Dhawan and employees like Mr. Vivek Jha, Mr. Akash Garg and others; the actual beneficial ownership and control always remained with the Applicant.



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19. Further investigations have revealed that the proceeds of crime, were generated by the Accused Chinese, Taiwanese and Indian Nationals by defrauding and cheating investors, through *LAXOM App*. Small investors were lured and their money was siphoned off. In this process of laundering, these persons routed cheated amount i.e. proceeds of crime through various mule accounts and payment gateways to hide the original source and genuineness of the funds.

20. Subsequently, these cheated funds were accumulated and placed in the Bank Accounts of Ranjan Money Crop and KDS Forex, from where these funds were withdrawn in cash and in the form of valuable foreign currencies. Ultimately, these withdrawn cash INR and Forex were transferred out of country through Hawala channel, leading no evidence to track its flow.

21. The accused in association with other co-accused, namely, Rohit Vij, Navneet Kaushik, Sahil Bajaj, Anurag Aggarwal, Pankaj Wadhwa and others, played important role. He in association with other accused persons, formed various shell Companies in the name of his employees, which were used for integration, layering and parking of the proceeds of crimes. He got the proceeds of crime converted into forex and cash, through the shell companies. He then siphoned off part of the proceeds of crime to Dubai, where he integrated and layered the proceeds of crime into his hotel business and projected these funds as untainted.

22. It is further submitted that the Hon'ble Supreme Court of India in *Suo Motu Writ Petition (Crl.) No. 03/2025*, titled "*In Re: Victims of Digital Arrest related to Forged Documents*", while taking cognizance of the alarming rise in cyber and digital frauds, orally observed on 03.11.2025 that it's shocking that almost Rs.3,000/- crores have been collected from the victims in our



country.

23. ***Grant of Interim Bail is objected*** on the ground that the conditions under Section 45 PMLA, are applicable even while considering the Interim Bail, on medical grounds, for which reliance is placed on *Vijay Madanlal Chaudhary v. Union of India*, 2022 SCC OnLine SC 929; CrI. M.C. 3713/2022, titled *Directorate of Enforcement v. Raj Singh Gehlot and Athar Parvez v. State*, CRL. REF. 1/2015.

24. It is submitted that the Regular Bail of the Applicant, has been dismissed on merits by the learned Special Court (PMLA), Rouse Avenue, Delhi *vide* Order dated 20.09.2025 wherein the role of the Applicant was considered in detail while dismissing the Bail Application.

25. It is contended that considering the seriousness and the gravity of the offence involved herein, the Interim Bail Application is liable to be rejected. Any leniency or indulgent shown to the Applicant, would not only defeat the ends of justice, but also embolden others to commit similar offences.

26. Insofar as the medical grounds of the family members are concerned, it is claimed that they are neither grave nor urgent and do not call for a compelling reason for Interim Bail. The medical condition of the Applicant's mother is a consequence of an old femur fracture namely, post-traumatic degenerative and osteopenic changes. Her condition is not life threatening and does not call for urgent or emergency surgical intervention. Her condition can be managed at home under orthopaedic follow-up, her care can be undertaken by other members of the family, which includes his father, wife and two daughters.

27. It is further stated that the Applicant has placed on record the medial document of Dr. Sumit Gupta but on verification, he had categorically



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answered that *no surgical intervention is required*.

28. The initial plea of the Applicant is that his mother has to undergo Total Hip Replacement for which reliance has been placed on prescription by Lady Hardinge Medical College, which stated that the surgery is scheduled for 21.11.2025. However, in the same paragraph, the Applicant himself stated that his family intends to get her surgery done at some private medical facility. Therefore, the medical procedure which they intend to undertake, is still undecided and not fixed.

29. Furthermore, the Medical Reports of the mother show that the surgery was proposed for 5th August, 8th August, 19th August and 20th August, 2025. The conduct of the family members in deferring her treatment, as well as considering that the date of appointment of surgery has not been fixed, the averment of the Applicant of urgency is inconsistent with the medical records.

30. It is further asserted that though the Applicant has claimed that his wife, father and daughters are having their own health issues, but this is also exaggerated that his wife had undergone surgery for ovarian cysts way back in 2023. The father's medical documents are pertained to March and May, 2025; merely stating that he is undergoing treatment for seizures, does not reflect that he is presently incapable of taking care of his wife. One daughter is claimed to be suffering from repeated seizure episodes, but there is no recent medical record of her present medical condition.

31. It is further submitted that the Applicant is a flight risk and is likely to dissipate proceeds of crime, tamper with evidence and influence the witnesses. It is mentioned that a Lookout Circular (*hereinafter referred to as 'LoC'*) dated 21.02.2023, was issued by Bureau of Immigration, Ministry of Home Affairs in FIR No. 24/2024. However, it was not flagged at any of the



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legal entry points of the country, which clearly establishes that Applicant entered into the country through an informal/non-regulated immigration channel i.e. Nepal Route.

32. These facts were all considered by the learned Trial Court while rejecting his Regular Bail Application. There is a serious flight risk as he is involved in various criminal cases. He absconded the process of law for almost two years and six months and was residing in Dubai where he had a well-off living lifestyle. He purchased multiple assets for which he has been unable to give any explanation.

33. A Non-Bailable Warrant (*hereinafter referred to as 'NBW'*) was issued against the Applicant under Section 70 CrPC (as applicable as per Section 65 PMLA), on 12.07.2024, after the accused failed to respond to the summons. A Red Corner Notice (*'RCN'*) dated 14.01.2025, was also issued against him. The execution of the NBW proved difficult for many months because he remained outside India and evaded arrest. He was declared a Fugitive Economic Offender under Section 12 of FEOA on 22.01.2025. The Criminal Revision Petition No. 03/2025 was filed by the Applicant for setting-aside the NBWs and CrI. Appeal No. 01/2025 for assailing the Order declaring him as FEO before the Hon'ble Guwahati High Court.

34. The NBWs have been stayed by the Guwahati High Court *vide* Order dated 07.03.2025. Likewise, stay has been granted Order dated 07.04.2025 in FEO Order. It is submitted that there is strong apprehension that he may dissipate the proceeds of crime, through *hawala* channels and poses a high flight risk and is likely to evade the process of law and abscond to other country, through unofficial channel. It is thus, submitted that the Interim Bail Application be rejected.



Submissions heard and the record perused.

35. To put it briefly, the Petitioner had sought Interim Bail for getting the Hip Replacement Surgery done of his mother, who is aged about 65 years. It is the case of the Petitioner himself, which is also corroborated by the medical documents placed on record, that she has an old case of “*old united fracture of mid shaft of femur with screw plate fixation*”, as per the Report of the Radiology Department dated 05.08.2025 of Sir Ganga Ram Hospital. The Petitioner also has not denied that she had undergone surgery for a fracture of mid shaft. The record shows that the fracture was attended by fixation of screw plates, which had healed.

36. According to the Applicant, she has now with the progression of age, developed complications and has been visiting the hospitals. She again had a slip and a fall in August, 2025 and has thereafter, been visiting the hospitals. She had got her X-Ray done from Sir Ganga Ram Hospital and had also visited Lady Hardinge Medical Hospital. According to the Applicant himself, the mother had visited Lady Hardinge Hospital and she had been advised Total Hip Replacement *vide* OPD dated 19.08.2025. The surgery was scheduled for 5th August, 8th August, 19th August and 20th August, 2025 but it had been postponed on each occasion. The last OPD prescription is of 19.08.2025, which states that the patient may come on 21.11.2025 for the Hip Replacement Surgery. However, it further states that the plan is for Total Hip Replacement. The final recommendation states as under:-

“Tuesday/Friday

Plan THR stem

To come on 21.11.2025”

37. From this prescription, it is nowhere evident that the mother has to be



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admitted or that she has a vital reportedly stable for her to undergo the Hip replacement Surgery. Interestingly, the Prescription is of 19.08.2025 recommending a procedure to be undertaken in November, 2025, i.e. after about three months.

38. It is also pertinent to note that the Applicant himself has stated in his Application that while there is an urgency of getting the Total Hip Replacement surgery done but the *“family, however, intends to proceed with the surgery at a private medical facility, depending upon the health condition and logistical feasibility at the relevant time.”*

39. These submissions made in the Application itself reflect that there is no final date given by the doctor on which the surgery is to be performed. The date 21.11.2025 as mentioned on the OPD of Lady Hardinge Hospital, does not state that the surgery is scheduled for the said date. Moreover, the Petitioner himself is saying that they would be approaching some private medical hospital and the surgery would be undertaken in case depending upon her health condition and logistical feasibility.

40. It is abundantly clear from the submissions made in the Interim Bail Application coupled with the medical documents, that there is no surgery fixed in the near future. It is only in the contemplation of the Petitioner, but that in itself cannot create any imminent situation entitling him to Interim Bail.

41. This aspect also needs to be considered in the light of the fact that her treating doctor was Dr. Sumit Gupta. The ED had got the verification and the confirmation about the medical condition and the proposed surgery from Dr. Sumit Gupta, who in response to a specific query, had stated that her course of treatment is *“She is under orthopaedic follow-up and on conservative*



management—analgesics, physiotherapy, calcium/vitamin supplements, and walking support. Future surgical intervention may be considered if symptoms worsen.”

42. Further, it has been stated that the condition is *chronic and moderately severe*-which causes pain and restricted movement but is *not life-threatening*. Furthermore, *prolonged bed rest is not required. Relative rest with limited weight-bearing may be advised during painful episodes*. So far as, the required care is concerned, it was stated that she would need help in mobility and daily activities, periodic orthopaedic reviews, and home-based physiotherapy. For the recovery period, it has been opined that it is a chronic degenerative orthopaedic condition. The condition can be *managed at home with family assistance*. Improvement can be maintained with regular care and follow-up. Recovery time varies if the patient requires surgical intervention.

43. These responses by the treating doctor to the queries in regard to the medical condition of Smt. Asha Rani, also confirm that the Total Hip Replacement Surgery is only contemplation in case, if it becomes inevitable in the situation of further deterioration, which cannot be managed by conservative treatment and physiotherapy. There is no imminent surgical intervention plan. She is presently on conservative treatment with physiotherapy and a medication.

44. The Interim Bail is, therefore declined, at this stage.

45. The present Bail Application is disposed of accordingly.

**(NEENA BANSAL KRISHNA)
JUDGE**

NOVEMBER 11, 2025/RS