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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Judgment delivered on: 07.11.2025*+ **BAIL APPLN. 1699/2025**PRITHVIRAJ DAUKIYA @ PRINCE
GODARA

.....Petitioner

Through: Mr. Animesh Upadhyay, Mr.
Gaurav Sarkar, Mr. Dilip
Kumar Jani, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State
Mr. Pankaj Kumar, Advocate
for the complainant.**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. By way of this application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 37/2024, registered at Police Station Cyber Police Dwarka, Delhi, for the commission of offence punishable under Sections 420/120B/34 of the Indian Penal Code, 1860 (hereafter 'IPC').

2. Briefly stated, the facts of the case are that a complaint was filed by the victim, Sh. Mohinder Singh Grover, regarding an online fraud amounting to approximately ₹45,00,000/-, committed on the



pretext of offering high returns through online gold trading. The complainant alleged that he was first contacted through WhatsApp by a woman identifying herself as Anita, also known as Fan Annie, who claimed to be a gold analyst with the World Gold Council. She induced the complainant to invest in an alleged gold trading platform named “Malabar”, representing it as a legitimate and profitable venture, and persuaded him to share his personal and financial details for opening a trading account. Acting under inducement, the complainant had transferred various amounts on different dates between April and June 2023 into seven bank accounts across different States, including accounts in the names of Autonome, Lucky Steel Fabrication, Sri Polamamba Congo Troop, Space Reality, Polasa Shyamu, Chetpally Sagar, and Letsfly. However, neither the principal amount nor any profit was ever returned to him. On these allegations, the present FIR was registered.

3. During investigation, it was revealed that the first transaction of ₹10,000/- made by the complainant on 23.04.2023 was credited to the ICICI Bank account of *Autonome*, operated by co-accused Sachin Malwiya. Co-accused Sachin Malwiya was arrested on 09.12.2024, and he disclosed that he had shared the details of the bank account and its linked SIM card with one Rahul Godara. Rahul Godara joined the investigation and disclosed that he had shared the said details with one of his friends, i.e. Prithviraj Daukiya @ Prince Daukiya (the present applicant), in good faith. WhatsApp chats between Rahul and Prithviraj confirmed that a request was made by the applicant herein



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for sharing the ID and password of net-banking of the aforesaid bank account with him. On 13.01.2025, the applicant was arrested in the present case, and during investigation, he had produced the SIM card linked to the bank account of firm *Autonome*. As per prosecution, the applicant disclosed that he had subsequently sold these bank account details and the linked SIM (No. 7229822207) to one Abbas for ₹80,000/-, and received an advance of ₹10,000/- in cash, which he had transferred to co-accused Amit Chaudhary through UPI on 05.04.2023. Further, CDR analysis showed that the applicant had remained in touch with the said SIM even after transferring it. As per status report, the investigation revealed that the applicant is an active member of a cyber-fraud syndicate engaged in facilitating fraudulent financial transactions by using multiple bank accounts. His bank statements reflected suspicious transactions totaling ₹25 lakhs, around the dates of the incident. As alleged, he has further failed to cooperate with the investigation by not disclosing the whereabouts of Abbas. The applicant was also found previously involved in two similar cyber-crime cases, i.e. FIR No. 522/2023 under Sections 406/420 of IPC registered at PS Murlipura, Jaipur, and FIR No. 28/2023 under Section 420 of IPC registered at PS Cyber Crime, Jaipur Secretariat.

4. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case solely on the basis of statement of Rahul Godara, who himself was directly involved in creating the firm *Autonome* and opening the bank



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account through which the alleged transactions took place. It is submitted that co-accused Sachin Mawliya, the proprietor of Autonomie, has nowhere named the present applicant in his disclosure statement, and despite admitting his own role, has already been granted bail by the learned Trial Court after refunding ₹10,000/- to the complainant. It is contended that although the complaint pertains to an alleged fraud of ₹45,00,000/-, the investigation has been limited to a single transaction of ₹10,000/-. It is further argued that the prosecution has relied on a year-long statement of account from March 2023 to March 2024 of the applicant, despite the alleged period of offence being confined to April-June 2023. It is further submitted that the investigation is biased and incomplete, as no effort has been made to trace the real perpetrators operating through the foreign WhatsApp number and email used by one Ms. Anita @ Fan Annie, who actually induced the complainant to invest. No attempt has been made to trace the IP address, service provider, or identity of the person who executed the cyber fraud, while the entire focus remains on the applicant without any supporting electronic or financial evidence. It is also urged that the applicant has already been granted bail in both previous cases registered on similar disclosure-based allegations, and that the charge sheet in the present case has been filed after nearly ten months of investigation. Despite this, the prosecution seeks more time to trace alleged co-accused persons, Amit Chaudhary and Abbas. It is thus submitted that since the investigation qua the applicant is complete and no recovery or



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financial trail links him to the offence, his continued custody is unwarranted and he deserves to be released on bail.

5. The learned APP appearing for the State opposes the grant of bail and argues that the applicant is a key member of an organized cybercrime syndicate engaged in defrauding innocent persons by facilitating the use of multiple bank accounts for fraudulent online transactions. It is contended that the applicant had procured the account details and the SIM card (No. 7229822207) linked to ICICI Bank Current Account No. 721405500212 (Autonome) from Rahul Godara and subsequently sold the same to a person named Abbas for ₹80,000/-, received an advance payment of ₹10,000/- in cash and transferred the same through UPI to co-accused Amit Chaudhary on 05.04.2023, which demonstrates his direct involvement in the fraudulent transactions. It is argued that CDR analysis clearly reveals that the applicant continued to remain in touch with the said SIM even after allegedly selling it. It is also contended that the applicant did not cooperate with the investigation and failed to disclose the whereabouts of Abbas. The learned APP also points out that the applicant is a habitual offender and has previously been involved in two similar FIRs. It is further contended that the bank statements of the applicant revealed suspicious transactions amounting to ₹25 lakh, most of which took place around the time of the present incident, which is wholly inconsistent with his claim of being a student. Thus, it is prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed on behalf of the



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applicant as well as the State, and has perused the material available on record.

7. In the present case, the allegations against the applicant are that he had obtained the bank account details and SIM card linked to the ICICI Bank account of Autonome, from Rahul Godara (kept in column 12), who had received the same from proprietor of Autonome, i.e. co-accused Sachin, and the applicant had allegedly sold these details to one Abbas for ₹80,000/-, thereby facilitating the fraudulent transaction of ₹10,000/- made by the complainant into the said bank account.

8. This Court notes that the applicant has been in judicial custody for a period of about 10 months. The investigation, insofar as it concerns the applicant, stands concluded, and the charge sheet against him has already been filed before the learned Trial Court. The prosecution has stated that further investigation is continuing with respect to other bank accounts and remaining transactions.

9. From a perusal of the record, it emerges that although the total amount allegedly defrauded from the complainant is approximately ₹45,00,000/-, the investigation and the charge sheet presently filed pertain only to the first transaction of ₹10,000/-, which was transferred into the account of Autonome. The investigation regarding the remaining sum of ₹44,90,000/- is still pending.

10. It is also relevant to note that the learned ASJ, while rejecting the bail application of the present applicant, had specifically observed



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that the charge sheet filed by the police was lacking in several crucial aspects, including (i) no investigation regarding the mobile number of the person named Anita who had first contacted and induced the complainant, (ii) no investigation regarding the remaining ₹44,90,000/- transferred into other bank accounts, (iii) the exclusion of Rahul Godara, who was a vital link in the transfer of the Autonome account, from the list of accused persons despite his involvement in similar offences, and (iv) the absence of analysis of the call detail records or mobile locations of any of the accused persons to establish their nexus.

11. Pursuant to these observations, this Court had called for an updated status report. The same has been perused, which reflects that further notices have been issued and certain steps are being taken to trace the other bank accounts. However, there continues to be no progress or mention of any investigation regarding the mobile numbers or the identity of the alleged person Anita, who had allegedly induced the complainant to invest in the alleged fraudulent scheme.

12. Furthermore, it is an admitted position that out of the total defrauded amount of ₹45,00,000/-, the present applicant has been arrested only in relation to the transaction of ₹10,000/- made to the account of Autonome. The co-accused, Sachin Mawliya, who was the proprietor of Autonome and in whose account the said amount was credited, has already been granted bail by the learned ASJ after refunding the said sum to the complainant.



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13. This Court also takes note of the prosecution's submission that the annual bank statement of the applicant shows transactions amounting to ₹25 lakh, which remain unexplained considering his claim of being a student. However, at this stage, there is no material to indicate that these transactions are connected with the present FIR or form part of the same fraudulent chain.

14. Considering the totality of the circumstances and for reasons mentioned above, including the period of custody already undergone by the applicant, and the fact that the case is triable by the Court of Magistrate, this Court is of the opinion that no fruitful purpose would be served by keeping the applicant in further custody. Accordingly, this Court is inclined to grant regular bail to the applicant, on his furnishing personal bond in the sum of Rs.25,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if the applicant has a passport, he shall surrender the same to the concerned trial court.
- ii) In case of change of residential address/contact details, the applicant shall promptly inform the same to the concerned Court and IO/SHO concerned.



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iii) The applicant shall appear regularly before the learned Trial Court, unless exempted.

iv) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.

15. Accordingly, the present bail application stands allowed and is disposed of.

16. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

17. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J
NOVEMBER 07, 2025/vc