



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

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*Reserved on: 11th December, 2025
Pronounced on: 15th December, 2025*

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BAIL APPLN. 4385/2025

AAYUSH GOYAL

S/o Sh. Naveen Goyal

R/o J & K Block, Building No.25,

Flat No.12, Laxmi Nagar,

Delhi-110092

.....Petitioner

Through: Mr. Kunal Jain, Advocate.

versus

STATE OF NCT OF DELHI

Through the S.H.O.

P.S. Cyber, Southwest, Delhi

.....Respondent

Through: Mr. Utkarsh, APP for the State.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

NEENA BANSAL KRISHNA, J.

1. Bail Application filed under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (*hereinafter referred to as "BNSS"*) read with Section 438 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as "CrPC"*) has been filed by the **Petitioner/Aayush Goyal** for grant of **Anticipatory Bail** in FIR No. 44/2025 dated 08.07.2025 under Sections 318(4)/61(2)/3(5) Bharatiya Nyaya Sanhita, 2023 (*hereinafter referred to as "BNS"*) [corresponding to Section 420/120B/34 of the Indian Penal Code (IPC) 1860] at P.S. Cyber, South-West.



2. The **case of the Prosecution** is that the present FIR under Section 318(4) BNS was registered at P.S. Cyber South West on the *Complaint of one Sh. Abhishek Raj*. He alleged that he received a WhatsApp call from number 8629967903, where a woman introduced herself as “Akansha,” impersonating an HR executive of a Company, namely, *Freelance Pvt. Ltd.* She informed him about work-from-home tasks available through their website and promised income for each Google search/review performed. Initially, the Complainant received small payments to build trust. Later, the caller told him that his free task coupons had expired and induced him to make multiple payments for higher-income tasks. After depositing the money repeatedly, when he demanded his earnings, he was further asked to pay additional funds, and his money was never returned. *He suffered a total loss of Rs.3.75 lakhs.*

3. During investigation, it was found that the calling numbers were operated through the website *waho.pro*, which is hosted on a U.S.-based server. Inquiry regarding the same is still pending.

4. Further investigation revealed that Rs.90,000/- of the cheated amount was transferred into an IDFC First Bank account belonging to one *Ahtisham S/o Lt. Tahseen Ali, R/o R-144, Gali No. 7, Ramesh Park, Laxmi Nagar, Delhi.*

5. On 24.07.2025, a raid was conducted in Laxmi Nagar and *accused Ahtisham* was traced. During interrogation, he disclosed that he opened the said IDFC account on the instructions of one *Mukesh Luthra @ Pankaj* in exchange for a commission of Rs.8,000/-, and that Mukesh was present at the time of account opening. He further stated that Mukesh got the cheated



money transferred into his account, which he then withdrew through cheque, (recorded by the bank CCTV footage) and handed over the cash to Mukesh, who paid him his commission of Rs.8,000/- for his role. Accused **Ahtisham was arrested.**

6. Co-accused **Mukesh Luthra @ Pankaj S/o Gulshan Luthra R/o H No. 13/55, Geeta Colony, East Delhi**, was traced, at the instance of Ahtisham. During interrogation, he disclosed that he gave the cheated funds to **co-accused Garvit**, who deposited the money via cash-deposit machines into multiple mule Accounts provided by the present Applicant, in exchange for cryptocurrency. Mukesh was arrested and sent to JC.

7. During further investigation, a Notice under Section 35(3) BNSS was served to **co-accused Garvit @ Golu**. He initially failed to join the investigation and sought Anticipatory Bail, which was granted on grounds of settlement and with a direction to cooperate. He later joined the investigation and disclosed that he obtained several accounts through Mukesh Luthra and supplied them to the Applicant/Aayush Goyal, who further circulated them on cryptocurrency platforms, for receiving cheated funds.

8. The *incriminating WhatsApp chats between co-accused Garvit and Applicant* were recovered from Garvit's mobile phone, showing the petitioner sharing multiple bank account details. These screenshots were placed on record.

9. Two Notices under Section 35(3) BNSS were also served to **Applicant Aayush Goyal**, but he did not join the investigation.



10. His Anticipatory Bail Application before the Ld. Sessions Court was dismissed *vide* Order dated 01.11.2025.

11. The **grounds taken by the Applicant for seeking Anticipatory Bail** are that there is *no direct or indirect evidence* linking him to the alleged offence, and his name does not appear in the FIR or any primary documents forming the basis of the Complaint.

12. It is submitted that the Applicant is neither known to the Complainant nor to any of the co-accused named in the FIR. He has had no communication, contact, or dealings (financial or digital) with any of them and has not participated in any activity related to the alleged offence.

13. It is submitted that no independent evidence has been presented to establish that the Applicant provided any “*mule account*” or facilitated any fraudulent cryptocurrency transaction.

14. Furthermore, the Applicant has never received any money, commission, or benefit from the alleged fraudulent transaction. His legitimate academic interest in cryptocurrency has been misinterpreted and wrongly linked to the FIR.

15. Moreover, the Applicant is a 22-year-old MBA (Finance) student at Amity University, Noida, with no criminal history. His continued detention or arrest would cause grave and irreparable damage to his education, reputation, and future career prospects.

16. It is submitted that the Complainant has already received the entire cheated amount from the other co-accused, as recorded in Orders dated 29.07.2025 and 13.08.2025 by Ld. ASJ. Therefore, custodial interrogation of the Applicant serves no purpose. All relevant records, digital data, and



financial information are already with the investigating Agency, and the Applicant's cooperation can be secured without arrest.

17. It is submitted that the principle of parity applies in the Applicant's favour. When similarly placed co-accused persons have been granted Anticipatory Bail, denying the same relief to the Applicant would amount to unequal treatment and in violation of Article 14 of the Constitution of India.

18. Reliance is placed on Sushila Aggarwal vs. State (NCT of Delhi), (2020) 5 SCC 1, which recognizes anticipatory bail as a safeguard of individual liberty.

19. *Lastly*, it is submitted that the Applicant has strong roots in the community, is not a flight risk, is a permanent Delhi resident, and resides with his family. The Applicant undertakes to fully cooperate with the investigation.

20. *Thus, it is prayed that the impugned Order dated 01.11.2025 of Ld. ASJ, be set aside and Applicant be granted Bail.*

21. The **Respondent/State has vehemently opposed the Bail Application on the grounds** that the investigation has established that Applicant is a crucial link in the cyber-fraud network. He was actively involved in procuring and supplying mule bank accounts for receiving cheated funds via P2P cryptocurrency platforms.

22. Incriminating WhatsApp chats and screenshots recovered from co-accused Garvit's phone clearly show the petitioner was regularly sharing numerous bank account details for facilitating the fraudulent transfers. The communication pattern evidences active coordination and financial dealings.



23. Despite being served two Notices under Section 35(3) BNSS, the Applicant deliberately avoided joining the investigation, indicating intentional evasion and non-cooperation, which has significantly obstructed progress in this digitally-driven offence.

24. It is submitted that custodial interrogation is essential to uncover the full network of mule accounts, recover digital devices, crypto-wallets, private keys, transaction IDs, identify foreign crypto platforms and handlers, and ascertain the extent of financial trails and illegal gains.

25. Furthermore, it is submitted that cyber-fraud cases involve highly perishable digital evidence. If granted anticipatory bail, the petitioner is likely to delete chats, cloud backups, crypto-wallets, and other electronic traces, causing irreversible damage to the investigation.

26. It is also submitted that the Applicant is also wanted in *FIR No.49/2025 under Sections 318(4)/61(2)/3(5) BNS at P.S. Cyber, North-West, New Delhi*. He is the kingpin of a gang of cheats and his custodial interrogation is required to unearth the whole controversy.

27. *Thus, the Bail Application is liable to be rejected.*

Submissions heard and record perused.

28. The present case essentially pertains to an alleged cyber-fraud operation involving inducement of the Complainant through a work-from-home scam, whereby he was deceived into transferring money on the pretext of earning online income. The investigation revealed a multi-layered chain in which the cheated amount was routed through various bank Accounts allegedly used as “*mule accounts*,” with some funds ultimately withdrawn in cash and purportedly circulated further.



29. The co-accused Mukesh Luthra @ Pankaj, was traced and during interrogation, he disclosed that he had handed over the cheated funds to co-accused Garvit, who further deposited the said money through cash deposit machines into mule accounts provided by the present Applicant, in exchange for cryptocurrency. The Applicant is alleged to be involved only on the basis of co-accused disclosures and purported WhatsApp chats.

30. Though the Applicant is not named in the FIR, nor is there any direct allegation by the Complainant of the inducement, deception, or receipt of cheated money, but he is allegedly the main co-conspirator who provided the Mule Accounts for transfer of money. His involvement may have emerged through the disclosure statements of the co-accused, but according to the State there is incriminating evidence by way of money withdrawals and WhatsApp communication.

31. The entire cheated amount has already been recovered and paid to the Complainant. As noted in the Order of Ld. ASJ dated 29.07.2025, the Complainant has settled the matter with the accused persons and also acknowledges the payment received by him. No custodial interrogation of the Applicant is merited especially when the entire evidence is essentially documented and investigation would be data-centric.

32. **Moreover**, the co-accused Garvit, whose role is alleged to be more proximate in handling of mule accounts and cash deposits, has already been granted Anticipatory Bail *vide* Order dated 29.07.2025. The Applicant is entitled to similar relief on the principle of parity.

33. **Lastly**, it is noted that the Applicant has clean antecedents and is a young man of 22 years who is pursuing his MBA. There is no material to



suggest that he is a flight risk or would abscond or influence the witnesses, if protected by Anticipatory Bail.

34. In view of the aforesaid circumstances, it is directed that in the event of arrest, the Applicant/Accused/Aayush Goyal shall be admitted to Anticipatory Bail by the Investigating Officer/Arresting Officer, subject to be following conditions:-

- (i) The Applicant/Accused shall furnish a personal bond in the sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/Arresting Officer.
- (ii) The Applicant/Accused shall join the investigations, as and when called by the Investigating Officer and shall cooperate during the investigations.
- (iii) The Applicant/Accused shall furnish his cell-phone number to the Investigating Officer on which he may be contacted at any time and shall ensure that the number is kept active and switched-on at all times.
- (iv) The Applicant/Accused shall not contact, nor visit, nor offer any inducement, threat or promise to any of the prosecution witnesses or other persons acquainted with the facts of case.
- (v) The Applicant/Accused shall not tamper with evidence nor otherwise indulge in any act or omission that is unlawful or that would prejudice the proceedings in the pending trial.

35. The Petition stands disposed of in the above terms. The Pending Application, if any, also stands disposed of.



36. Copy of the Order be sent to the Ld. Trial Court for compliance.

**(NEENA BANSAL KRISHNA)
JUDGE**

DECEMBER 15, 2025/RS