



2025:DHC:8307



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

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Reserved on: 16th September, 2025
Pronounced on: 19th September, 2025

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BAIL APPLN. 2694/2025

SALMAN SAYEED SIDDIQUI

C/o Yaqub Siddiqui,
R/o 18E/23A/1 Karamat Ki Chowki
Kareli, GTB Nagar, Allahabad,
Uttar Pradesh- 211016

.....Petitioner

Through: Mr. Divyesh Pratap Singh and
Mr. Amit Sangwan, Advocates.

versus

STATE (NCT OF DELHI)

Through Station House Officer,
Police Station - Outer North District

.....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. First regular bail Application under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 has been filed on behalf of the Applicant/Salman Sayeed Siddiqui in FIR No. 0047/2024 registered under Sections 318(4)/3(5) BNS at Cyber Police Station.

2. The Bail Application filed before the Learned ASJ has been dismissed on 11.07.2025. The Applicant has submitted that he is a law-abiding citizen, who was arrested on 06.04.2025 solely on the basis of the confessional statement of co-accused Rohit Rajaram Ghanekar. The Chargesheet has



already been filed against all the Accused persons, on 26.05.2025.

3. The entire cheating amount, i.e., Rs.47,688/- was received in the bank account of co-accused Swapnil Dattaram, which was not credited/transferred to any other bank account. Though no amount was received by the Applicant, but in order to establish his *bona fide* and to show his willingness to join the investigation, a sum of Rs.48,000 has already been paid to the Complainant with a view to amicably resolve the matter.

4. The beneficiary in the present case has not been arrested and the Chargesheet has been filed against him without his arrest. Notice under Section 35.3 BNSS was served upon the Applicant, whereafter he joined the investigation. However, according to the Police, because the Applicant did not provide cogent answers to the questions put by the Police, he was arrested on 06.04.2025 at the said place itself.

5. And 07 mobile phones, 01 tablet, 03 laptops, 04 Wi-Fi routers, Wi-Fi - POD, 04 bank passbooks, 15 debit cards and 01 stamp, were allegedly recovered from the house, i.e. L-38, Lajpat Nagar-2, New Delhi. Apart from police witnesses, there are no independent witnesses of the alleged seizure.

6. The Applicant has asserted that there is no evidence to show that the said house was owned or managed by the Applicant. He is the resident of House No. 18 E/23A/1 Karamat Ki Chowki, Kareli, GB Nagar, Allahabad. He has no connection with the house from where the alleged recovery has been made. Moreover, the alleged recovery is in no manner connected with the alleged offence. The Complainant/Rajiv Chopra had given a Complaint that on 10.11.2024 at 8:30 AM that he had booked an airline ticket. The communication took place on mobile numbers +1902915489 and 7045180631 through WhatsApp. During the communication, the



Complainant received an OTP, following which alleged amount of Rs.47,688/- was debited from his bank account and allegedly credited into the bank account of co-accused Swapnil Dattaram's Axis Bank account, through IMPS transaction. However, upon completion of the alleged payment, the ticket was cancelled, and thereafter, none responded to the mobile phone calls of the Complainant.

7. The alleged mobile number +1902915489, which was also linked with mobile number 7045180631, was registered in the name of co-accused Swapnil Dattaram. The bank account, in which the money was transferred, was also registered in the name of the said co-accused. The alleged cheated money was never credited or transferred further in any other bank account and the Applicant did not receive any money in his bank account or through any other mode.

8. During the course of investigations, the sole beneficiary, i.e. co-accused Swapnil Dattaram, was given Notice under Section 35.3 BNSS, whereupon he joined the investigation and made allegedly a confession giving the name of co-accused *Rohit Rajaram Ghanekar*. He confessed that he had given his bank account to co-accused Rohit Rajaram Ghanekar. He further stated that Rohit Rajaram Ghanekar had asked him that he needed a bank account for 2 to 3 months for receiving a payment, for which he had given him Rs.2,000/-. The co-accused Swapnil Dattaram did not whisper anything about the Applicant.

9. Notice under Section 35.3 BNSS was served upon co-accused *Rohit Rajaram Ghanekar*, who also joined investigation, but was arrested on 02.04.2025. One mobile phone having number 8976272065 was recovered from him in which WhatsApp chat was found with the alleged mobile



number 8425980536, regarding the Bank Account and exchange of account numbers. The Police allegedly linked the said number with that of the Applicant even though it is neither registered in his name nor does it belong to him nor was it recovered from him. Co-accused Rohit Rajaram Ghanekar allegedly made a confession disclosing the name of the Applicant.

10. The sole beneficiary, Swapnil Dattaram, who had allegedly received the amount directly, was not arrested during the investigation. The Chargesheet has already been filed against him, though without arrest.

11. The Applicant has claimed that there was nothing on record to show that he was remotely connected with the said bank account. He is completely innocent and has no concern with the present case. He is neither named in the FIR nor in the statement of the informant. There is no intention/*mens rea* on the part of the Applicant to cheat the Complainant. In fact, he does not even know the Complainant. Therefore, there can be no inducement attributed on the part of the Applicant to cheat the Complainant.

12. The alleged incident happened on 10.11.2024, but the FIR was lodged only on 19.12.2024, i.e. after a delay of 39 days, which has not been explained by the Complainant in any manner.

13. The confessional statement of co-accused Rohit Rajaram Ghanekar, and his pointing out, led the Police to L-38, Lajpat Nagar-2, New Delhi, where the Applicant was found present. He was served with a Notice under Section 35.3 BNSS and he joined the investigation. However, on the mere assertion that he did not provide cogent answers to their questions, the police arrested him on 06.04.2025 at the same place itself.

14. The Applicant has submitted that the only incriminating evidence against him is the confessional statement of co-accused Rohit Rajaram



Ghanekar. There is no CCTV footage or any other evidence to show that the Applicant had withdrawn the cheated money from the ATM. The investigation has been completed in a perfunctory and slipshod manner. The Chargesheet has been filed under Sections 318(4)/3(5) BNS on 26.05.2025. The investigation is already complete and nothing remains to be recovered from his possession. No fruitful purpose would be served by keeping him behind the bars. He has cooperated fully during the investigation and undertakes to remain bound by any terms that may be imposed upon him. Hence, it is further submitted that he is about 50 years old and a resident of Allahabad. He is a father of two school going children.

15. The Applicant was an Accused in in another case *C.R. No. 54/2023 under Sections 409/419/420/465/468/471/34/120B IPC and Section 66(C) and Section 66(D) of IT Act and Section 25(C) of Indian Telegraph Act at DCB CID Unit-8, Mumbai*. In the said FIR, he had been implicated solely on the basis that he was working as an employee in the Company. He has been granted Regular Bail on 09.11.2023.

16. It is submitted that the present FIR which has been registered on the complaint of Rajiv Chopra, is false. It is further submitted that the *grounds of arrest and reasons for arrest* have not been supplied to the Petitioner as per the guidelines laid down by the Apex Court. No family member was informed about his arrest in the middle of the night at 3.00 AM. His arrest is, therefore, illegal.

17. The Applicant claims that he belongs to a respectable family having deep roots in the society and has clean antecedents. There are no chances of his tampering with the evidence or threatening the Prosecution witnesses. Hence, a prayer is made for grant of Bail.



18. *Status Report has been filed on behalf of the State* wherein the details of the Complaint have been given. It is submitted that the first beneficiary account of Swapnil Dattaram was analyzed and he was traced to Transit Camp Bhoiwada, Mumbai. He in his investigation took the name of co-accused Rohit Rajaram Ghanekar, who in turn led to the apprehension of the present Applicant.

19. It is asserted that the Applicant did not cooperate in the investigations. The Chargesheet has already been filed against the Applicant along with 03 other co-accused persons. The specific role of the Applicant has been defined as under.

“1. Posted fake flight offers on Facebook using virtual mobile numbers (bought via "A Phone" website).

2. Tricked customers into paying for discounted tickets, then cancelled tickets after receiving payments.

3. Used fraudulent bank accounts provided by co-accused Rohit Rajaram Ghanekar to collect money.

4. Received around 10-15 fake bank accounts from Rohit, including Axis Bank A/c No. 924010034733921.

5. Withdrew 47,681/- from this account via ATM in Lajpat Nagar.

6. Destroyed account kits after use to avoid evidence trail.

7. Paid Rohit 16,000 per account and SIM card kit via UPI.”

20. The *modus operandi* as explained is that the case involves a sophisticated cyber fraud scheme using virtual number (VOIP) calls and fake bank accounts to dupe victims and withdraw money. Several virtual numbers were used to make calls to unsuspecting customers, often



pretending to be representatives of travel agent of the Companies. These calls were designed to lure victims into transferring amounts to their fake accounts.

21. The co-accused Rohit Rajaram Ghanekar played a crucial role in facilitating the next steps of crime. He arranged for creation of fake bank accounts and obtained fraudulent SIM cards. Through these fraudulent means, the applicant was able to withdraw large sums of money and transfer the stolen funds into various accounts under his control. This method of using VOIP calls, fake accounts and SIM cards, allowed the Applicant to carry out the fraud with a degree of anonymity and to avoid detection for some time.

22. The Bail is opposed on the grounds that there is substantial incriminating evidence against the Applicant. There is serious apprehension of his tampering the evidence, influencing the witnesses, cause danger to society at large through a pattern of fraud targeting multiple individuals through fake online advertisements indicating that he is likely to commit crimes if released.

23. Furthermore, he is a flight risk, having lured the victims into transferring amounts into fake accounts. He is involved in a similar case of in FIR No. 0420/2023 in Mumbai, Maharashtra. Considering the aforesaid facts and the antecedents of the Applicant, the Bail Application is opposed.

Submissions heard and record perused.

24. According to the Prosecution's case, the Applicant is the mastermind, who had created the entire network for committing cyber fraud by using persons to transfer the money into the multiple fake accounts acquired by the Applicant to whom the money was transferred and was siphoned out by



the Applicant. This offence got revealed by a Complaint by the Complainant/Rajiv Chopra, who had made complaint about money being transferred by him online for the purchase of ticket to Canada but after the transfer of money, the phone number of the opposite party became unresponsive.

25. While it is the Complaint of one person, which led to the unraveling of this crime, but it cannot be overlooked that it is a serious cyber crime where many innocent persons become victims and the Accused, who are the perpetrators, remain anonymous leading to non-detection of the crime. Considering the complexity and vastness of the cyber fraud, which are committed in a highly sophisticated manner by using VOIP and other tools, it is not a fit case for granting Bail.

26. It can also not be discounted that merely by paying Rs.48,000/- to one Complainant who has been traced, does not reduce the enormity of the cyber fraud of which the Applicant was the mastermind.

27. The Applicant has asserted that he has no concern with the 07 mobile phones, 01 tablet, 03 laptops, 04 Wi-Fi routers, Wi-Fi - POD, 04 bank passbooks, 15 debit cards and 01 stamp, recovered from his house at Lajpat Nagar and there is no Rent Agreement connect him with the said premises. However, he himself has stated that he was present in the house from where he was apprehended and the recoveries made. The learned Prosecutor has further submitted that the Rent Agreement in favor of the Applicant has been traced subsequently.

28. Furthermore, the Chargesheet has already been filed for Offences under Section 318(4)/3(5) BNS. In light of the aforesaid discussion, no case is made out for grant of Bail.



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29. The Bail Application is accordingly, dismissed.

**(NEENA BANSAL KRISHNA)
JUDGE**

SEPTEMBER 19, 2025

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