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MCRC-55471-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE RAJESH KUMAR GUPTA

ON THE 23rd OF JANUARY, 2026

MISC. CRIMINAL CASE No. 55471 of 2025

KULDEEP SHARMA

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Harshvardhan Sharma - Advocate for the applicant.

Shri Rajendra Singh Yadav - Dy. Additional Advocate General for the
State.

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ORDER

The applicant has filed this first bail application u/S.483 of BNSS for grant of bail. Applicant has been arrested on 03.07.2025 by Police Station- Karera, District Shivpuri in connection with Crime No.495/2025 for the offence punishable under Sections 318(4), 308(2), 340(2) of BNS. His earlier application was dismissed as withdrawn vide order dated 15.10.2025 passed in MCRC No.42856/2025 by this Court.

2. According to the case of prosecution, on 31.05.2025 at about 2:00–2:30 p.m., the complainant Kavita Agarwal received a phone call on her mobile No.9584792623 from an unknown number. The caller alleged that the complainant had spoken obscenely from another mobile number and stated that on this basis, her phone number would be blocked. The complainant denied having engaged in any such conversation. Thereafter, the caller claimed that she would be connected to the Police Station Polo, Mumbai and arranged for the complainant to speak to another person. The caller thereafter informed the complainant that she



was allegedly involved in the Naresh Goyal black money scam and stated that a video call would be initiated. Subsequently, a video call was made to the complainant from mobile No.8269753160, during which she was threatened with arrest and imprisonment in connection with the alleged black money scam. The complainant reiterated that she had not committed any wrongdoing. Thereafter, the caller enquired about her age and when complainant told her age, then he further stated that he would protect the complainant as a senior citizen and conduct an investigation into her alleged black money by verifying all her fixed deposits and funds, assuring her that if no black money was found, then entire amount would be returned through the Court. Under this inducement and pressure, the complainant and her husband transferred various amounts to different bank accounts i.e. Rs.3,80,000/- Rs.4,28,000/- on 02.06.2025, Rs.4,60,000/- on 03.06.2025, Rs.18,00,000/- on 12.06.2025, Rs.19,47,000/- on 16.06.2025, Rs.3,50,000/- on 21.06.2025 and Rs.6,20,000/- on 24.06.2025. The complainant was kept under so-called “digital arrest” from 01.06.2025 to 25.06.2025. On 25.06.2025, a bail order was sent to her mobile phone stating that she had been granted bail. Despite this, an additional demand of Rs.10,00,000/- is now being made from the complainant. On the aforesaid incident, this case has been registered against the present applicant and other co-accused persons.

3. It is the submission of learned counsel for the applicant that false case has been registered against the applicant and he is suffering confinement since 03.07.2025. It is further submitted that the complainant was duped by unknown cyber fraudsters through a so-called digital arrest and the money was transferred to unknown accounts unconnected with the applicant. The applicant had no role in the alleged threats, demands or grant of bail and received no part of the amount.



Investigation is over and charge-sheet has already been filed. Applicant does not bear any criminal record. Applicant undertakes to cooperate in trial as well as investigation and would make himself available as and when required. He would abide by the terms and conditions as imposed by this Court. Under these grounds, counsel for the applicant prayed for bail.

4. Learned Public Prosecutor for the State for the respondent/State opposed the prayer and submits that the complainant was subjected to a calculated “digital arrest” by an organized cyber fraud syndicate, whereby she was threatened, intimidated and deceitfully induced to part with huge sums of money on the false pretext of involvement in a black money scam and grant of bail. Grant of bail at this stage would influence the witnesses or tamper with electronic evidence. Therefore, considering the seriousness of the offence, the applicant does not deserve the discretionary relief of bail. Therefore, the application may be dismissed.

5. Heard learned counsel for the parties and perused the case diary.

6. Having heard learned counsel for the parties, at length and upon careful perusal of the case diary and material placed on record, this Court finds that the allegations disclose the commission of a serious and sophisticated cyber offence. The prosecution case prima facie reveals that the complainant was subjected to a so-called “digital arrest” by impersonation of police and investigating authorities, whereby she was placed under constant threat and psychological pressure and was induced to transfer substantial sums of money on the false pretext of involvement in a black money scam and grant of bail. The manner in which the complainant was allegedly confined digitally and coerced to part with her life savings reflects a well-planned and organized cyber fraud.

7. The record further indicates that a huge amount of money was siphoned



off through multiple bank accounts and the investigation with regard to the flow of funds, identification of beneficiaries, and the role of each accused is still at a crucial stage. Cyber offences of this nature involve technical evidence, electronic devices and digital trails, which are susceptible to tampering. Grant of bail at this juncture may adversely affect the investigation/trial and provide an opportunity to influence witnesses or manipulate electronic evidence. This Court is also mindful of the gravity of the offence and its serious impact on society at large, particularly on vulnerable persons who are targeted through such fraudulent digital methods.

8. Considering the nature and seriousness of the allegations, the *modus operandi* adopted and quantum of money involved, this Court does not find it a fit case for grant of bail.

9. Accordingly, the bail application is **rejected**.

(RAJESH KUMAR GUPTA)
JUDGE

Rashid