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MCRC-32464-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 25th OF JULY, 2025MISC. CRIMINAL CASE No. 32464 of 2025*NISHANT SONI**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Ms. Amrita Jain - Advocate for the applicant.

Shri Virendra Khadav - G.A. for respondent/State.

Shri Chandra Bhusan Pandey - Advocate for the objector.

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ORDER

1] They are heard. Perused the case-diary.

2] This is the first application filed by the applicant under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023/Section 438 of Criminal Procedure Code, 1973 for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.0123/2025 registered at Police Station Crime Branch, District Indore for the offence punishable under Sections 316(4) & 318(4) of B.N.S., 2023.

3] The allegation against the applicant is of fraud to the tune of Rs.30,56,555/-. The complainant happens to be a Director of *Payjas Payments India Private Limited*, and according to him, the account of his company's employee Komal Singh Kushwaha was hacked by some person, and through which more than Rs.30,56,000/- was transferred on various dates. It is alleged that the applicant happens to be an ex-employee of the



said company.

4] Counsel for the applicant has submitted that the applicant has been falsely implicated in the case, and there is nothing on record to connect the applicant with the offence, and on account of a dispute which had arisen between the applicant and the Director of the company, a false case has been registered against the applicant. It is also submitted that the applicant was forced to resign from the company, and when a legal notice was sent to the Director of the company, a false case has been slapped against him. It is also submitted that the Director of the company is also involved in large scale money laundering, for which a complaint was also filed by the applicant to the Police Commissioner, copies of which have also been filed on record. Thus, it is submitted that only with a view to settle the personal score, a false case has been registered against the applicant. Thus, it is submitted the custodial interrogation of the applicant is not necessary, and the anticipatory bail application be allowed.

5] Counsel for the objector, on the other hand, has opposed the prayer, and it is submitted that the applicant has played fraud to the tune of more than Rs.30 lakh, which is on record, and in such circumstances, the applicant's custodial interrogation would be necessary. It is also submitted that the laptop returned by the applicant contained various WhatsApp chats of incriminating nature connected to the amount siphoned off from the complainant's account.

6] Counsel for the State has also opposed the prayer.

7] Having considered the rival submissions and on perusal of the case diary, it is found that a dispute is going on between the applicant and the



complainant, whereas the FIR has been lodged against some unknown persons, raising a doubt regarding the involvement of the applicant. However, certain WhatsApp chats have also been recovered by the complainant from the laptop returned by the applicant to the company connecting him with the amount, which has been siphoned off from the complainant's account.

8] In such circumstances, this Court is of the considered opinion that the custodial interrogation of the applicant would be necessary for the proper investigation in respect of the WhatsApp chats, which have been found in the laptop of the applicant. In view of the same, no case for grant of anticipatory bail is made out.

9] Accordingly, the application being devoid of merits, is hereby *dismissed*.

(SUBODH ABHYANKAR)
JUDGE

Pankaj