A.F.R.

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.5192 of 2025

(In the matter of an application under Section 528 of B.N.S.S., 2023 read with Section 482 of the Code of Criminal Procedure, 1973.)

Indrajit De .... ***Petitioner(s)***

-versus-

Central Bureau of Investigation (CBI) .... ***Opposite Party (s)***

Advocates appeared in the case through Hybrid Mode:

For Petitioner(s) : *Mr. K. Raghavacharyulu, Adv.*

For Opposite Party (s) : *Mr. Sharthak Nayak, Special Public Prosecutor (CBI)*
Mr. Manish Dhir, Adv.

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

DATE OF HEARING:- 23.06.2026
DATE OF JUDGMENT:-14.07.2026

Dr. Sanjeeb K Panigrahi, J.

1. In this CRLMC, the petitioner seeks a direction from this Court to set aside the order dated 03.09.2025 rejecting his discharge petition and to discharge him from the offences alleged in SPE No.05 of 2014, arising from the supplementary charge-sheet filed by the CBI.

I. FACTUAL MATRIX OF THE CASE:

2. The brief facts of the case are as follows:

(i) The prosecution originates from Baliapal P.S. Case No. 85 dated 15.05.2013, registered against M/s Tower Infotech Ltd. and its directors in relation to alleged unauthorised collection of money from members of the public through prize-chit or money-circulation activities. Pursuant to the Supreme Court's order dated 09.05.2014, the investigation was transferred to the Central Bureau of Investigation, which re-registered the case as RC 10(S)/2014 on 04.06.2014 for offences under Sections 420, 120-B and 34 IPC and Sections 4, 5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. The petitioner, Indrajit De, who was a director of M/s Eden Infra Projects Pvt. Ltd., was neither named in the original FIR nor arraigned in the first charge-sheet filed on 06.07.2016.

(ii) The material transaction concerns an amount of ₹2.50 crore transferred during the financial year 2009-2010 from M/s Tower Infotech Ltd. to M/s Eden Infra Projects Pvt. Ltd. The petitioner describes the amount as part of a proposed investment of ₹10 crore in a real-estate project and states that it was received through banking channels and reflected in the audited accounts of Eden Infra as an unsecured loan. The CBI, however, treats the transfer as diversion of money allegedly collected unlawfully from investors, pointing to the absence of any written agreement, memorandum of understanding or identified commercial purpose explaining the transfer.

(iii) During the investigation, the petitioner was issued notices under Section 91 CrPC for production of documents. The parties dispute the extent of his cooperation: the petitioner claims that he supplied the documents sought in 2016 and again in 2020, whereas the CBI alleges that he failed to attend further investigation and did not satisfactorily explain the transfer. Bank accounts connected with Eden Infra were frozen to the extent of approximately ₹1.25 crore and ₹16.85–17 lakh, and the petitioner subsequently deposited a further ₹1.25 crore pursuant to an order of the High Court. According to the petitioner, approximately ₹2.67 crore has consequently been secured, which exceeds the disputed transfer of ₹2.50 crore.

(iv) Upon further investigation, the CBI filed a supplementary charge-sheet dated 26.12.2022 against the petitioner, Amitava Patra, M/s Eden Infra Projects Pvt. Ltd. and others for offences under Section 120-B read with Sections 420 and 409 IPC and the relevant provisions of the 1978 Act. An earlier petition seeking quashing of the charge-sheet was dismissed by the High Court on 28.07.2023, against which an SLP is stated to be pending before the Supreme Court.

(v) The petitioner thereafter filed an application for discharge under Section 239 CrPC on 29.01.2025, which the learned Special CJM, CBI, Bhubaneswar rejected by the impugned common order dated 03.09.2025. The present proceeding challenges that rejection and seeks the petitioner's discharge from SPE No. 05 of 2014.

II. ANALYSIS OF THE ORDER OF THE COURT BELOW:

3. The Learned Special CJM made the following observations:

(i) The learned Special CJM approached the discharge applications by applying the established threshold governing consideration of charge-sheet materials under Section 239 CrPC. The Court recorded that it was not required at that stage to undertake a meticulous examination of the evidence or determine whether the prosecution would ultimately secure a conviction. It proceeded on the principle that even a strong suspicion, founded upon the materials placed by the investigating agency, could justify framing of charges where those materials permitted a presumptive view that the accused might have committed the offences alleged.

(ii) In applying that standard, the Court primarily relied upon the prosecution's allegation that ₹2.50 crore collected by Tower Infotech from investors had been transferred to Eden Infra without a written agreement or cogent purpose. It noted the charge-sheet's assertion that the transfer was made pursuant to a criminal conspiracy to channelise and siphon illegally collected funds, thereby causing wrongful gain to the accused and loss to investors. The Court also referred generally to statements recorded under Section 161 CrPC as indicating the involvement of the accused persons. On that basis, it concluded that the charge could not be described as groundless and that sufficient grounds existed for presuming commission of the alleged offences.

(iii) The order correctly recognised the limited nature of scrutiny ordinarily permissible at the stage of discharge and avoided deciding the petitioner's commercial explanation as though conducting a full trial. Questions concerning whether the transfer was genuinely an investment, whether an oral agreement existed, whether the accounting entries established bona fides, whether the petitioner knew the source of Tower Infotech's funds and whether the circumstances established conspiracy are evidentiary matters that may require examination of witnesses and documents. The Trial Court therefore treated the competing commercial and criminal explanations as matters unsuitable for final determination at the threshold.

(iv) At the same time, the reasoning in the impugned order is relatively general and does not separately map the prosecution material onto the distinct ingredients of Sections 420, 409 and 120-B IPC or Sections 4 and 6 of the 1978 Act. The order refers broadly to witness statements and documentary evidence without identifying which witness or document attributes deception, inducement, entrustment, misappropriation or participation in an unlawful money-circulation scheme to the petitioner. It also does not expressly address the petitioner's argument regarding the temporal gap between the 2009–2010 transfer and the alleged collection period, the legal effect of the transaction being entered in audited accounts, or the contention that the prosecution has invoked cheating and criminal breach of trust on the same factual foundation.

(v) Thus, the impugned order rests on a legally recognised charge-stage standard but expresses its application in broad terms. Its sustainability would ultimately depend on whether the charge-sheet and accompanying materials, read as a whole and without weighing their probable truth, contain specific circumstances capable of raising grave suspicion against the petitioner, rather than merely showing receipt of money from an accused company. The High Court would therefore have to examine whether the Trial Court merely refrained from conducting an impermissible mini-trial or whether it failed to perform the minimum judicial exercise of determining that the basic ingredients of the alleged offences were disclosed by the prosecution record.

III. SUBMISSIONS ON BEHALF OF THE PETITIONER:

4. The Learned Counsel for the Petitioner earnestly made the following submissions in support of his contentions:

(i) The petitioner contends that the disputed payment was a legitimate commercial transaction between two incorporated companies and not part of any chit-fund or money-circulation activity. According to him, Tower Infotech had proposed an investment of ₹10 crore in an upcoming real-estate project of Eden Infra and transferred ₹2.50 crore as part payment. Since the full proposed investment was not made, no formal agreement or MoU was executed. The transfer was made through regular banking channels, disclosed in the company's audited accounts as an unsecured loan and was neither concealed nor appropriated for the petitioner's personal use. He therefore argues that the transaction's recorded and commercial character is inconsistent with the prosecution's allegation of fraudulent diversion or siphoning of funds.

(ii) It is submitted that the essential ingredients of cheating under Section 420 IPC are absent because the charge-sheet does not attribute any false representation, deception or dishonest inducement to the petitioner at the inception of the transaction. The petitioner neither collected money from the public nor induced any investor to part with property, and the alleged default or misuse, if any, related to the activities of Tower Infotech. Relying upon decisions concerning the distinction between a civil or commercial breach and criminal cheating, he argues that a subsequent commercial failure cannot constitute cheating unless fraudulent intention existed from the very beginning.

(iii) The petitioner similarly disputes the applicability of Section 409 IPC on the ground that there was no entrustment of property, fiduciary relationship or dishonest misappropriation. According to him, the money was voluntarily transferred as an investment or commercial advance and became part of a disclosed inter-corporate transaction. He further argues that Sections 420 and 409 rest on conceptually different foundations, cheating requiring dishonest inducement before delivery of property and criminal breach of trust requiring prior entrustment followed by misappropriation and therefore cannot mechanically be invoked together on the same undifferentiated factual foundation.

(iv) As regards conspiracy, the petitioner maintains that the prosecution materials do not disclose any meeting of minds, communication, agreement or concerted conduct between him and the directors of Tower Infotech to collect, divert or siphon public money. He emphasises that the transfer occurred in 2009–2010, whereas the period of the alleged illegal public collections and the investigation is stated to be from 2012 onwards. He also asserts that the statements of the witnesses relied upon by the prosecution, including the witnesses identified in his rejoinder, do not specifically implicate Eden Infra or its directors in the alleged conspiracy.

(v) The petitioner further relies on the fact that he was not named in the FIR or the first charge-sheet and was implicated only through a supplementary charge-sheet filed approximately six years later. He alleges that no fresh incriminating material justifying this subsequent implication has been identified and that the supplementary allegation is substantially confined to paragraph 16.13 of the charge-sheet. His cooperation with document-production notices, the freezing and deposit of an amount exceeding ₹2.50 crore, grant of pre-arrest bail and release of his passport are relied upon as circumstances demonstrating bona fides and absence of any likelihood of evasion or personal enrichment.

(vi) Finally, the petitioner submits that the Trial Court rejected the discharge application mechanically without examining whether the uncontroverted prosecution material disclosed the ingredients of each alleged offence. He distinguishes the present discharge proceeding under Section 239 CrPC from the earlier quashing proceeding under Section 482 CrPC, arguing that the two jurisdictions involve different tests and that dismissal of the earlier quashing petition does not dispense with the Trial Court's obligation to independently assess whether the charge is groundless. He accordingly seeks setting aside of the order dated 03.09.2025 and discharge from all the alleged offences.

IV. SUBMISSIONS ON BEHALF OF THE OPPOSITE PARTY:

5. The Learned Counsel for the Opposite Party, CBI, earnestly made the following submissions in support of his contentions:

(i) The CBI contends that although the petitioner was not named in the original FIR or the first charge-sheet, his complicity emerged during further investigation. According to the prosecution, the directors of

Tower Infotech, acting in conspiracy with the petitioner, Amitava Patra and Eden Infra, dishonestly diverted ₹2.50 crore collected from members of the public without regulatory permission. The amount was allegedly transferred from Tower Infotech's bank account to Eden Infra without any written agreement, MoU or cogent commercial purpose, resulting in wrongful gain to the accused and corresponding loss to the investors.

(ii) The prosecution disputes the petitioner's explanation that Tower Infotech had agreed to invest ₹10 crore in an Eden Infra project. It characterises that explanation as an afterthought unsupported by contemporaneous documentation. The CBI argues that the absence of any prior agreement, project document, utilisation record or subsequent course of action makes it improbable that ₹2.50 crore would have been transferred and retained for several years as an ordinary business investment. The continued possession or use of the amount by Eden Infra from 2009–2010 until registration and investigation of the case is relied upon as indicative of deliberate misutilisation rather than a bona fide commercial transaction.

(iii) The CBI further alleges that the petitioner did not adequately cooperate with the investigation. While acknowledging that notices were issued, it asserts that he failed to attend further investigation and did not clarify why the substantial transfer had taken place or produce documents substantiating its business purpose. The freezing of the company's accounts and the subsequent deposit made pursuant to judicial directions are described as investigative or judicial measures to secure the funds, not as circumstances exonerating the petitioner or negating the alleged offences.

(iv) The opposite party maintains that sufficient oral and documentary evidence exists to establish the petitioner's involvement in the conspiracy and that the statements recorded under Section 161 CrPC refer to the involvement of the accused persons. It argues that conspiracy is ordinarily established through circumstantial evidence because direct proof of an agreement is rarely available. The prosecution therefore submits that the absence of an express written or oral acknowledgment of conspiracy cannot justify discharge when the transfer, lack of documentation, retention of funds and surrounding circumstances cumulatively create a strong suspicion of concerted criminal conduct.

(v) The CBI relies on the settled distinction between an evaluation at the stage of charge and an adjudication after trial. It submits that the Court is not required at the discharge stage to meticulously weigh the evidence, assess its ultimate sufficiency or conduct a mini-trial. The prosecution materials need only disclose sufficient grounds for presuming the commission of the alleged offences. It also emphasises the gravity of economic offences and the Supreme Court's directions in the chit-fund litigation requiring investigation of the money trail, influential participants and entities through which public funds may have been routed. On this basis, it seeks dismissal of the present petition and continuation of the trial.

V. JUDGMENT AND ANALYSIS:

6. Heard Learned Counsel for the parties and perused the documents placed before this Court.

7. The prosecution arises from the alleged collection of money from members of the public by M/s Tower Infotech Ltd. through an unauthorised prize-chit or money-circulation scheme. During the financial year 2009-2010, an amount stated to be between ₹2.05 crore and ₹2.50 crore was transferred from the bank account of Tower Infotech to M/s Eden Infra Projects Pvt. Ltd., of which the petitioner was a director. The petitioner claims that the amount formed part of a bona fide investment in a real-estate project and was duly reflected as an unsecured loan in the audited accounts of Eden Infra. He was neither named in the original FIR nor arraigned in the first charge-sheet. Upon further investigation, however, the CBI filed a supplementary charge-sheet dated 26.12.2022 implicating the petitioner for offences under Section 120-B read with Sections 420 and 409 IPC and the relevant provisions of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978. The petitioner's application for discharge under Section 239 CrPC was rejected by the learned Trial Court by order dated 03.09.2025. The present CRLMC calls in question the legality and propriety of the said order.

8. At the stage of considering discharge under Section 239 CrPC, the Court is not required to determine the truthfulness, reliability or ultimate probative value of the prosecution evidence. The police report and the accompanying materials must be considered at their face value for the limited purpose of ascertaining whether the factual ingredients of the alleged offences are disclosed. The Court may sift the material to that limited extent, but it cannot compare rival versions, assess the probable defence or undertake an inquiry resembling a trial.

9. In ***State of Bihar v. Ramesh Singh*[1]*,*** the Supreme Court held that where the material gives rise to a strong suspicion that the accused has committed an offence, it is sufficient to proceed to trial. The Court held as follows:

> *"...At that stage the Court is not to 'see whether there is sufficient ground for conviction of the accused or whether the trial is sure to end in his conviction. Strong suspicion against the accused, if the matter remains in the region of suspicion, cannot take the place of proof of his guilt at the conclusion of the trial. But at the initial stage if there is a strong suspicion which leads the Court to think that there is ground for presuming that the accused has committed an offence then it is not open to the Court to say that there is no sufficient ground for proceeding against the accused. The presumption of the guilt of the accused which is to be drawn at the, initial stage is not in the sense of the law governing the trial of criminal cases in France where the accused is presumed to be guilty unless the contrary is proved. But it is only for the purpose of deciding prima facie whether the Court should proceed with the trial or not. if the evidence which the Prosecutor proposes to adduce to prove the guilt of the accused even if fully accepted before it is challenged in cross-examination or rebutted by the defence evidence, if any, cannot show that the accused committed the offence, then there will be no sufficient ground for proceeding with the trial."*

[1] 1977 4 SCC 39

10. Hence, it is imperative to keep in mind that the Court is not a mere post office for the prosecution.It must apply its judicial mind and determine whether the material discloses the ingredients of the alleged offence. Therefore, discharge is warranted where the accusation is groundless or where the prosecution material, even if accepted without rebuttal, does not disclose the essential ingredients of any offence. Where the material raises a grave and legally sustainable suspicion, the matter must ordinarily be left for trial.

11. To constitute an offence under Section 420 IPC, the prosecution must prima facie disclose deception followed by fraudulent or dishonest inducement resulting in delivery of property. The dishonest intention must exist at the inception of the transaction. A subsequent failure to fulfil a promise or perform a commercial obligation cannot, by itself, give rise to the offence of cheating.

12. In ***Hridaya Ranjan Prasad Verma v. State of Bihar***2 by the Supreme Court explained that the distinction between mere breach of contract and cheating depends upon the intention of the accused at the time when the inducement was made. The Court held as follows:

> *"In determining the question it has to be kept in mind that the distinction between mere breach of contract and the offence of cheating is a fine one. It depends upon the intention of the accused at the time to inducement which may be judged by his subsequent conduct but for this subsequent conduct is not the sole test. Mere breach of contract cannot give rise to criminal prosecution for cheating unless fraudulent or dishonest intention is shown*

[2] 2000 4 SCC 168

right at the beginning of the transaction, that is the time when the offence is said to have been committed. Therefore it is the intention which is the gist of the offence. To hold a person guilty of cheating it is necessary to show that he had fraudulent or dishonest intention at the time of making the promise. From his mere failure to keep up promise subsequently such a culpable intention right at the beginning, that is, when he made the promise cannot be presumed."

13. In the present case, the prosecution alleges that ₹2.50 crore was transferred from Tower Infotech to Eden Infra pursuant to a criminal conspiracy. The charge-sheet, however, must disclose some act of deception or dishonest inducement attributable to the petitioner. There is no allegation that the petitioner made any false representation to the investors, induced members of the public to deposit money, or persuaded Tower Infotech to transfer the amount by concealing or misstating any material fact. The petitioner was not involved in the collection of deposits from the public and no representation made by him to any investor has been identified.

14. The petitioner's explanation is that the amount formed part of a proposed investment of ₹10 crore in a real-estate project and was reflected in the audited accounts of Eden Infra as an unsecured loan. The accounting entry does not conclusively establish the bona fides of the transaction. Equally, the absence of a written agreement or memorandum of understanding cannot, without further incriminating material, establish deception at the inception. These circumstances may create doubt regarding the commercial prudence of the transaction, but doubt cannot substitute the statutory ingredients of cheating.

15. It is true that where the allegation is of conspiracy, the prosecution need not establish that the petitioner personally made the representation which induced delivery of the property. It must nevertheless place some material indicating that he knowingly joined the agreement to deceive investors or facilitate the dishonest diversion of their funds. Mere receipt of money by a company of which the petitioner was a director, without material showing his knowledge of its alleged unlawful source or his participation in the inducement, does not by itself attract Section 420 read with Section 120-B IPC.

16. The commercial explanation offered by the petitioner cannot be accepted as proved at the stage of discharge. The Court must, however, examine whether the prosecution material independently discloses deception and dishonest inducement. On the materials referred to in the impugned order, no representation, inducement or conduct attributable to the petitioner at the inception of the transfer has been identified. The prosecution allegation, insofar as Section 420 IPC is concerned, rests principally upon the receipt of the amount, the absence of contemporaneous documentation and its subsequent retention.

17. These circumstances may justify further examination of the money trail. They do not, without material connecting the petitioner with the original deception or with an agreement to deceive, raise the grave suspicion necessary for framing a charge of cheating. The basic ingredients of Section 420 IPC are therefore not prima facie disclosed against the petitioner.

18. As regards the allegations regarding Criminal Breach of Trust, it is imperative to note that Section 409 IPC is an aggravated form of criminal breach of trust. Its application requires material showing that property was entrusted to the accused, or that he acquired dominion over it, in his capacity as a public servant, banker, merchant, factor, broker, attorney or agent. The prosecution must further disclose dishonest misappropriation, conversion, use or disposal of that property in violation of the terms governing the entrustment.

19. In ***S.W. Palanitkar v. State of Bihar***[3]**,** the Supreme Court held that entrustment of property or dominion over property and its subsequent dishonest misappropriation are indispensable ingredients of criminal breach of trust. The Court held as follows:

> *"The ingredients in order to constitute a criminal breach of trust are: (1) entrusting a person with property or with any dominion over property (ii) that person entrusted (a) dishonestly misappropriating or converting that property to his own use; or (b) dishonestly using or disposing of that property or willfully suffering any other person so to do in violation (i) of any direction of law prescribing the mode in which such trust is to be discharged (ii) of any legal contract made touching the discharge of such trust."*

20. In the present case, the amount of ₹2.50 crore was transferred from the bank account of Tower Infotech to the account of Eden Infra. The prosecution does not allege that the amount was delivered to the petitioner personally to be retained, administered or applied by him for any specified purpose on behalf of Tower Infotech. Nor does it identify any fiduciary obligation under which the petitioner was required to

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[3] 2002 1 SCC 241

hold or return the money. The transaction, as disclosed by the bank records and accounts of Eden Infra, assumes the form of an inter-corporate transfer. Whether it was an investment, an unsecured loan or a device for diversion of funds is a matter requiring examination. The mere receipt of money by Eden Infra does not, however, establish entrustment to the petitioner.

21. The absence of a written agreement or memorandum of understanding may cast doubt upon the petitioner's commercial explanation. It cannot create the legal element of entrustment where the prosecution record does not otherwise show that Tower Infotech retained ownership or control over the amount after its transfer, or that the petitioner received it subject to a specific obligation to apply it in a particular manner. Likewise, the subsequent freezing or deposit of amounts pursuant to judicial orders does not retrospectively establish that the original transfer involved entrustment followed by dishonest conversion.

22. It is true that the petitioner has also been charged under Section 120-B read with Section 409 IPC. His liability for conspiracy would not necessarily depend upon personal entrustment if there were material showing that he knowingly agreed with persons who had dominion over the investors' funds to dishonestly misappropriate them. The prosecution must nevertheless disclose some circumstance indicating such agreement or conscious participation. Mere receipt of the amount by a company of which the petitioner was a director, without material showing his knowledge of its alleged unlawful source or his participation in a plan to misappropriate it, cannot by itself sustain such an inference.

23. The materials noticed in the impugned order do not identify any act by which the petitioner assumed fiduciary control over the amount, dishonestly dealt with property entrusted to him, or knowingly joined an agreement for breach of trust by those controlling Tower Infotech. The essential ingredients of Section 409 IPC, whether directly or read with Section 120-B IPC, are therefore not prima facie disclosed against the petitioner.

24. Now, as regards Sections 4 and 5 of the Prize Chits and Money Circulation Schemes Banning Act, 1978, they prohibit and penalise the promotion, conduct, enrolment of members in, or participation in a prohibited prize-chit or money-circulation scheme. Section 6 fastens liability upon persons responsible for the conduct of the business of a company, or whose consent, connivance or neglect contributed to the offence.

25. To sustain the charge against the petitioner, the prosecution material must therefore disclose some participation in, assistance to, or conscious facilitation of the scheme allegedly operated by Tower Infotech. The supplementary charge-sheet does not attribute to the petitioner or Eden Infra any role in soliciting deposits, enrolling members, making representations to investors, managing the scheme or distributing its proceeds.

26. The mere receipt of funds from Tower Infotech by Eden Infra, without material showing knowledge of their unlawful source or participation in the prohibited scheme, cannot by itself make the petitioner a promoter, participant or abettor under the Act. The prosecution record, as noticed in the impugned order, does not disclose the basic factual ingredients necessary to connect the petitioner with any offence under Sections 4, 5 or 6 of the 1978 Act. The charge under the said enactment is therefore not prima facie made out against him.

27. As regards Section 120-B IPC, direct evidence of conspiracy is seldom available and an agreement may be inferred from proved circumstances. However, the prosecution must still disclose material indicating a meeting of minds or conscious participation in the unlawful design. In the present case, apart from the transfer of funds to Eden Infra, no communication, conduct or surrounding circumstance has been identified to show that the petitioner knowingly joined any plan to deceive investors or divert their money. Mere receipt of the amount by the company is insufficient to raise a grave suspicion of criminal conspiracy against him.

VI. CONCLUSION:

28. The charge-sheet, even if accepted at face value, does not disclose the essential ingredients of Sections 420, 409 or 120-B IPC against the petitioner. No specific material shows deception, dishonest inducement, entrustment, misappropriation or conscious participation in the alleged conspiracy. Mere receipt of funds by Eden Infra, in the absence of further incriminating material, is insufficient to raise grave suspicion.

29. The record also does not disclose any role of the petitioner in promoting or conducting the alleged money-circulation scheme. The accusations are therefore groundless within the meaning of Section 239 CrPC.

30. Accordingly, the order dated 03.09.2025 is set aside. The CRLMC is allowed and the petitioner is discharged from all the offences alleged against him in SPE No. 05 of 2014.

31. It is clarified that this order shall not preclude the investigating agency from proceeding against the petitioner in accordance with law if fresh and cogent evidence subsequently emerges establishing his involvement in the alleged offences.

32. Interim order, if any, passed earlier stands vacated.

(Dr. Sanjeeb K Panigrahi)
Judge

Orissa High Court, Cuttack,
Dated the 14th July, 2026/