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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-19034-2025 (O&M)

Date of decision: 07.04.2025

Suparna Bhalla

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Puneet Bali, Sr. Advocate with
Mr. P.S. Ahluwalia, Advocate,
Mr. Vipul Joshi, Advocate,
Mr. Sowjhanya Satija, Advocate,
Mr. Aakash Sharma, Advocate and
Mr. Piyush Kumar, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Satya Prakash Yadav, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J.(Oral)

1. Present petition has been preferred under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking quashing of FIR No.7 dated 15.01.2025 under Section 420 of the Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station IT City, Mohali, District SAS Nagar (Mohali) and

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all the subsequent proceedings arising therefrom.

FACTUAL BACKGROUND

2. Briefly, the facts of the case, as alleged, are that husband of the petitioner is a promoter of WTC, Noida Development Company Private Limited (for short 'WTC'). In the year 2015, the said company launched a commercial project in Mohali namely WTC Chandigarh and in the year 2022, complainants-respondents No.2 & 3 were allured to invest an amount of Rs.50,23,203/- in the same. The units hence purchased by respondents No.2 & 3 were scheduled to be handed over by June, 2023. However, they were unable to take possession of the same, as the construction never picked pace, in spite of multiple re-assurances. A report dated 07.12.2022 prepared by the Serious Fraud Investigation Office (for short 'SFIO'), which was presented before National Company Law Tribunal, Delhi, also states that the accused company has collected about Rs.423 crores from 1162 clients. However, instead of putting it towards construction of the real estate project, as promised, they have siphoned off Rs.77 crores. In fact, in April, 2023, Greater Mohali Area Development Authority (for short 'GMADA') had to revoke the land allotment, as the accused company had an overdue of Rs.103 crores. As such, the accused company has defrauded respondents No.2 & 3 and all its other clients.

CONTENTIONS

3. Learned senior counsel for the petitioner, *inter alia*, contends that the petitioner has been wrongly arraigned as an accused in FIR (*supra*). Even if

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the case of the prosecution is presumed to be correct, no offence is made out against the petitioner. The petitioner has never been a Director or even a shareholder in the accused company. In fact, neither she has been named in the FIR (*supra*) nor any specific allegation has been levelled against her. Further, nowhere it has been alleged that the petitioner deceived respondents No.2 & 3 or dishonestly induced them to part with their money, as she did not have any role in the day to day functioning of the accused company. As a matter of fact, the petitioner is a reputed architect, who is involved with many prestigious projects.

4. Further still, a perusal of the investigation report submitted by SFIO would indicate that the petitioner was held to be not complicit in the alleged occurrence. The issue primarily is civil in nature, which has been given a criminal colour and the petitioner has only been arraigned as an accused to twist arm of her husband-Ashish Bhalla. Pertinently, the petitioner cannot be held to be vicariously liable in the present case, especially when the petitioner is neither a Director nor an owner in the accused company. Further, the unimpeachable and sterling evidence in the shape of relevant corporate record pertaining to management of WTC, as extracted from the records of Ministry of Corporate Affairs, is available on record as Annexure P-2 and bare perusal of the same would establish that the petitioner has never held any directorship or managerial position in WTC. Her firm namely Abaxial Design Pvt. Ltd. is a separate legal entity and has no connection with WTC. As such, neither the



petitioner nor her firm can be held responsible for any wrongdoings, that may have been committed by WTC. Reliance in this regard is placed upon ***Sunil Bharti Mittal Vs. Central Bureau of Investigation, 2015 (1) SCALE 140.*** Learned senior counsel for the petitioner also relies upon a judgment of the Hon'ble Supreme Court in ***Vesa Holdings (P) Ltd. Vs. State of Kerala, (2015) 8 SCC 293*** and contends that the present dispute is civil in nature and is being converted into a criminal offence with malicious intentions.

5. Pertinently, in ***Vinay Tyagi Vs. Irshad Ali, (2013) 5 SCC 762***, the Hon'ble Supreme Court has held that fair and proper investigation is essential component of criminal jurisprudence and as such, the investigation must be conducted in a fashion, that is unbiased, honest and just, in order to bring out the truth. However, in the present case, continuation of criminal investigation against the petitioner is grossly unjust. She has been framed in two FIRs; firstly, in the FIR (*supra*) and thereafter, in FIR No.21 dated 15.02.2025 under Sections 406, 420, 120-B of IPC, registered at Police Station IT City, Mohali, District SAS Nagar (Mohali), in spite of the fact that she has no association with the accused firm. Learned senior counsel relies on ***Arnab Goswami Vs. Union of India, (2020) 14 SCC 12*** and submits that multiple FIRs on the same set of allegations are not permissible. He further relies on a judgment of the Hon'ble Supreme Court in ***Imran Pratapgadhi Vs. State of Gujarat and another, 2025 INSC 410*** and submits that there is no embargo on quashing of an FIR, even when the investigation is pending conclusion.

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6. *Per contra*, learned counsel for respondents No.2 & 3 submits that present petition is premature. 1162 persons have been cheated of Rs.423 crores. Further, 95% of the total sale price have been collected from 1250 allottees, by cheating the innocent citizens. The intention to cheat from the very inception is writ large, as the accused, after obtaining 95% amount of the total project price from victims, have not even paid the installments for the land allotment to GMADA, which has cancelled allotment of the land. In the similar manner, gullible customers have been induced to invest in other States as well. Learned counsel for respondents No.2 & 3 refers to Press Release dated 03.03.2025 issued by Directorate of Enforcement (for short 'ED'), Gurugram Zonal Office, which is taken on record as Mark 'A'. Learned counsel refers to the press release and submits that investigation against the petitioner along with her husband Ashish Bhalla and her brother-in-law Abhijeet Bhalla has been launched for money laundering. The petitioner has been summoned by ED number of times. Moreover, documents relating to funds collection of more than Rs.3500 crores from various investors have been found. Further, the investigation is still going on into the well orchestrated ponzi schemes and creation of assets in the name of other entities and siphoning off the fund abroad. Further still, in the Press Release, it has been specifically mentioned that more than Rs.200 crores have been siphoned off to other countries for acquiring the overseas assets. The press release dated 03.03.2025 would indicate that the petitioner has been mentioned as an

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accused and a promoter. The ED had identified assets worth thousands of crores in the name of the accused company and the matter is currently under further investigation. The transit bail sought by the petitioner has already been dismissed and certified copy of the order dated 26.03.2025 passed by learned Additional Sessions Judge (Fast Track Court), South-East, Saket Court Complex, New Delhi has been produced in the Court today, which is taken on record as Mark 'B'. Learned counsel for respondents No.2 & 3 refers to the aforementioned order and submits that in the affidavit dated 28.09.2022 submitted by SFIO before Delhi High Court, massive diversion of funds by WTC is confirmed. Learned counsel further contends that the petitioner is fully involved in the fraud and she personally controlled the Directors through one M/s Proactive Constructions Pvt. Ltd. She is also instrumental in inflating the construction cost for siphoning off the money collected from the investors including the complainant and had been issuing false certificates to hoodwink the statutory authorities. Other associates in the projects like architects, sales persons and accountants report directly to the petitioner. Furthermore, after the arrest of her husband and her brother-in-law, she is managing everything and respondents No.2 & 3 have serious apprehension that she would also divert the funds collected from other investors.

7. Learned State counsel opposes the prayer made by the petitioner on the ground that FIR is not an encyclopedia. The registration of FIR is only an initial step towards setting the criminal law into motion. The investigating

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agency is in the process of collecting more evidence and the present petition is filed only to stop the investigating agency from making recoveries of the relevant documents and electronic devices in the possession of the petitioner. The petitioner is evading all attempts of service of notices issued by the investigating agency. In the present case, thousand of investors have been defrauded and there is huge public outrage in this regard.

8. Learned State counsel further submits that huge fraud has been committed, which has impacted the lives of 1162 victims, who have lost their hard earned life savings. It would only be revealed after completion of the investigation, who is beneficiary of such serious economic fraud. The investigating agency is yet to take into possession the relevant documents and details of other assets. Further, it is immaterial that the petitioner has never been a Director of WTC and she is not vicariously liable. The offence committed in the present case is not under Section 138 of the Negotiable Instruments Act, 1881 or the Drug and Cosmetics Act by corporate entity. As such, reliance of the petitioner on **Vesa Holdings's** (*supra*) and **Sunil Bharti Mittal's** case (*supra*) is totally misplaced. Further, in view of Section 242 of BNSS (*erstwhile Section 219 of Cr.P.C.*), offence committed by the accused under the same transaction upto 05 complaints can be clubbed together and present FIR is registered prior in time than FIR No.21, which was registered on 15.02.2025, whereas FIR (*supra*) was registered on 15.01.2025 and in both the FIRs, victims are different and are registered in view of the provisions

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contained in Section 242 of BNSS (*erstwhile Section 219 of Cr.P.C.*). As such, reliance of the petitioner on **Arnav Goswami**'s case (*supra*) would not be of any help. The investigating agency is conducting the investigation in a free, fair and transparent manner and nothing specific has been pleaded that the investigation is biased or tainted. The questioning of the petitioner is essential for unearthing the huge economic fraud committed upon 1162 victims. The accused in the present case have committed an offence in a pre-determined and calculated manner. The complicity or innocence of the petitioner would only be determined after taking into possession the relevant documents and upon conclusion of the investigation. The Directorate of Enforcement has not arrested the petitioner but that would not be a ground to quash the FIR (*supra*) at the threshold. The investigating agency cannot be deprived of its statutory right to investigate and unearth the fraud so as to ascertain the manner in which the hard-earned money worth several hundreds of crores has been siphoned off by the accused. The petitioner is also in possession of the documents and other material necessary for the proper and fair investigation. Learned State counsel relies upon judgments of the Hon'ble Supreme Court in **Satvinder Kaur Vs. State (Govt. of NCT of Delhi)**, (1999) 8 SCC 728 and **M/s Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharastra**, AIR 2021 SC 1918 and submits that no ground for setting aside the investigation at the threshold is made out and the custodial interrogation of the petitioner is imperative to take the investigation to its logical end.



OBSERVATIONS

9. Having heard learned counsel for the parties at considerable length and after perusing the record of the case with their able assistance, it transpires that 1162 persons have been induced to pay 95% of the total price of the property, which they intended to purchase. However, the accused have not even paid the installments, they owed to GMADA towards allotment of land. Further, learned counsel for the petitioner has made a rather misplaced argument that the petitioner has no concern with the alleged offence, as there is no allegation against her in the FIR (*supra*) and as such, she cannot be held vicariously liable.

10. It is trite law that an FIR is not the encyclopedia of the entire prosecution case and its purpose is limited to setting the criminal law into motion. Pertinently, the case at hand does not pertain to corporate liability, rather, it is a serious economic fraud, committed in a pre-planned manner with an intention to cheat and deceive thousands of gullible investors. Due to its unique characteristics and wider ramifications, economic offences form a special and separate category within the realm of criminal jurisprudence and stand on a different pedestal than other conventional criminal offences. Such offences have significant cascading effects not only on the lives of the victims, but also on the economic stability of the State. Furthermore, such transactions often form a part of grand scale money laundering operations. In the present case, an ECIR has already been registered by Directorate of Enforcement

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alleging money laundering on part of the accused, including the petitioner, as well as diversion of funds to foreign countries. Allowing such activities to continue unchecked would be detriment to larger interest of the society and contribute towards creating serious repercussions contributing to recession-like circumstances.

11. The investigation into such frauds must be conducted in an objective manner, or else providing assistance and justice to the victims can become even more cumbersome, as there is every likelihood that their investments are diverted elsewhere. Time and again, the Hon'ble Supreme Court has reiterated that the accused persons in such scams should face the full force of law and any show of leniency towards them would create a sense of fear in the minds of people and discourage them from investing their money in real estate projects. Importantly, it will further erode the faith and trust of the common man in the justice delivery mechanism. As such, collection of proper evidence during investigation is even more imperative in white color crimes so that offenders do not take advantage of any technical loopholes.

12. Of late, economic offences have become increasingly prevalent, attracting public attention, with many high profile cases coming to the fore. Therefore, a robust and pragmatic approach is warranted to combat this rising trend of deceitful manipulation, particularly involving real estate. An objective investigation is of the utmost importance to inquire into these sophisticated financial frauds, as they call for scrupulous unearthing of the *modus operandi*.



Commonly, the perpetrators of economic offences evade responsibility by hiding behind the corporate veil and attempt to swoop the illicit gains made by them by engaging in illegal practices like money laundering and tax evasion under the rug. These offences, more often than not, involve complex mechanisms and pertain to multiple jurisdictions, which falls beyond the scope of traditional investigating tools. Therefore, the Courts are under an obligation to take a sophisticated approach, illustrating even higher standards of care, so as to ensure that the perpetrators do not take advantage of technical loopholes in the legal framework.

13. A two Judge Bench of the Hon'ble Supreme Court in ***Y.S. Jagan Mohan Reddy Vs. Central Bureau of Investigation, (2013) 7 SCC 439*** has highlighted the impact of economic offences and their large scale impact on many victims, necessitating strict scrutiny. Speaking through Justice P. Sathasivam, the following was opined:

“15. Economic offences constitute a class apart and need to be visited with a different approach in the matter of bail. The economic offence having deep rooted conspiracies and involving huge loss of public funds needs to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country.

16. While granting bail, the court has to keep in mind the nature of accusations, the nature of evidence in support thereof, the severity of the punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing the presence of the accused at the trial, reasonable apprehension of the witnesses being tampered

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with, the larger interests of the public/State and other similar considerations.”

14. Further still, a three Judge Bench of the Hon’ble Supreme Court in ***Vijay Madanlal Choudhary and others Vs. Union of India and others, 2022*** ***SCC OnLine SC 929***, speaking through through Justcie A.M. Khanwilkar, observed as follows:

*“298. In **Mohanlal Jitamalji Porwal**, while explaining the impact of economic offences on the community, the Court observed that usually the community view the economic offender with a permissive eye, although the impact of the offence is way greater than that of offence of murder. The Court held thus:*

"5.....The entire Community is aggrieved if the economic offenders who ruin the economy of the State are not brought to books. A murder may be committed in the heat of moment upon passions being aroused. An economic offence is committed with cool calculation and deliberate design with an eye on personal profit regardless of the consequence to the Community. A disregard for the interest of the Community can be manifested only at the cost of forfeiting the trust and faith of the Community in the system to administer justice in an even handed manner without fear of criticism from the quarters which view white collar crimes with a permissive eye unmindful of the damage done to the National Economy and National Interest."

(emphasis supplied)

*In **Rohit Tandon**, this Court observed as follows:-*

"21. The consistent view taken by this Court is that economic offences having deep-rooted conspiracies and involving huge loss of public funds need to be viewed seriously and considered as grave offences affecting the economy of the country as a whole and thereby posing serious threat to the financial health of the country. Further, when attempt is made to project the proceeds of crime as untainted money and also that the allegations may not ultimately be established, but having been made, the burden of proof that the monies were not the proceeds

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of crime and were not, therefore, tainted shifts on the accused persons under Section 24 of the 2002 Act."

(emphasis supplied)

*Thus, it is well settled by the various decisions of this Court and policy of the State as also the view of international community that the offence of money-laundering is committed by an individual with a **deliberate design with the motive to enhance his gains, disregarding the interests of nation and society as a whole and which by no stretch of imagination can be termed as offence of trivial nature. Thus, it is in the interest of the State that law enforcement agencies should be provided with a proportionate effective mechanism so as to deal with these types of offences as the wealth of the nation is to be safeguarded from these dreaded criminals.** As discussed above, the conspiracy of money-laundering, which is a three-staged process, is hatched in secrecy and executed in darkness, thus, it becomes imperative for the State to frame such a stringent law, which not only punishes the offender proportionately, but also helps in preventing the offence and creating a deterrent effect."* (emphasis added)

15. It is a well settled legal position that the Courts should not normally interfere with an investigation and permit the same to be completed, as such intervention could amount to encroachment upon the lawful power of the police to investigate into cognizable offences, which would undermine the due process of law. Reliance in this regard can be placed upon the judgment rendered by the Hon'ble Supreme Court in *Satvinder Kaur's* case (*supra*). Pertinently, in *M/s Neeharika Infrastructure Pvt. Ltd.'s* case (*supra*), a three Judge Bench of the Hon'ble Supreme Court reiterated the guiding principles to quash proceedings under Section 482 of Cr.P.C. speaking through Justice M.R. Shah, the following was held:

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“80. In view of the above and for the reasons stated above, our final conclusions on the principal/core issue, whether the High Court would be justified in passing an interim order of stay of investigation and/or "no coercive steps to be adopted", during the pendency of the quashing petition under Section 482 Cr.P.C , 1973 and/or under Article 226 of the Constitution of India and in what circumstances and whether the High Court would be justified in passing the order of not to arrest the accused or "no coercive steps to be adopted" during the investigation or till the final report/chargesheet is filed under Section 173 Cr.P.C., 1973 while dismissing/disposing of/not entertaining/not quashing the criminal proceedings/complaint/FIR in exercise of powers under Section 482 Cr.P.C., 1973 and/or under Article 226 of the Constitution of India, our final conclusions are as under:

i) Police has the statutory right and duty under the relevant provisions of the Code of Criminal Procedure contained in Chapter XIV of the Code to investigate into a cognizable offence;

*ii) **Courts would not thwart any investigation into the cognizable offences;***

iii) It is only in cases where no cognizable offence or offence of any kind is disclosed in the first information report that the Court will not permit an investigation to go on;

iv) The power of quashing should be exercised sparingly with circumspection, as it has been observed, in the `rarest of rare cases (not to be confused with the formation in the context of death penalty).

v) While examining an FIR/complaint, quashing of which is sought, the court cannot embark upon an enquiry as to the reliability or genuineness or otherwise of the allegations made in the FIR/complaint;

*vi) **Criminal proceedings ought not to be scuttled at the initial stage;***

vii) Quashing of a complaint/FIR should be an exception rather

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than an ordinary rule;

viii) Ordinarily, the courts are barred from usurping the jurisdiction of the police, since the two organs of the State operate in two specific spheres of activities and one ought not to tread over the other sphere;

ix) The functions of the judiciary and the police are complementary, not overlapping;

x) Save in exceptional cases where non-interference would result in miscarriage of justice, the Court and the judicial process should not interfere at the stage of investigation of offences;

xi) Extraordinary and inherent powers of the Court do not confer an arbitrary jurisdiction on the Court to act according to its whims or caprice;

xii) The first information report is not an encyclopaedia which must disclose all facts and details relating to the offence reported. Therefore, when the investigation by the police is in progress, the court should not go into the merits of the allegations in the FIR. Police must be permitted to complete the investigation. It would be premature to pronounce the conclusion based on hazy facts that the complaint/FIR does not deserve to be investigated or that it amounts to abuse of process of law. After investigation, if the investigating officer finds that there is no substance in the application made by the complainant, the investigating officer may file an appropriate report/summary before the learned Magistrate which may be considered by the learned Magistrate in accordance with the known procedure;

xiii) The power under Section 482 Cr.P.C., 1973 is very wide, but conferment of wide power requires the court to be more cautious. It casts an onerous and more diligent duty on the court ;

xiv) However, at the same time, the court , if it thinks fit, regard being had to the parameters of quashing and the self-restraint imposed by law, more particularly the parameters laid down by this Court in the cases of R.P. Kapur (supra) and Bhajan Lal

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(supra), has the jurisdiction to quash the FIR/complaint;

xv) When a prayer for quashing the FIR is made by the alleged accused and the court when it exercises the power under Section 482 Cr.P.C., 1973 only has to consider whether the allegations in the FIR disclose commission of a cognizable offence or not. The court is not required to consider on merits whether or not the merits of the allegations make out a cognizable offence and the court has to permit the investigating agency/police to investigate the allegations in the FIR;

xvi) The aforesaid parameters would be applicable and/or the aforesaid aspects are required to be considered by the High Court while passing an interim order in a quashing petition in exercise of powers under Section 482 Cr.P.C., 1973 and/or under Article 226 of the Constitution of India . However, an interim order of stay of investigation during the pendency of the quashing petition can be passed with circumspection. Such an interim order should not require to be passed routinely, casually and/or mechanically. Normally, when the investigation is in progress and the facts are hazy and the entire evidence/material is not before the High Court , the High Court should restrain itself from passing the interim order of not to arrest or "no coercive steps to be adopted" and the accused should be relegated to apply for anticipatory bail under Section 438 Cr.P.C., 1973 before the competent court . The High Court shall not and as such is not justified in passing the order of not to arrest and/or "no coercive steps" either during the investigation or till the investigation is completed and/or till the final report/chargesheet is filed under Section 173 Cr.P.C., 1973 while dismissing/disposing of the quashing petition under Section 482 Cr.P.C., 1973 and/or under Article 226 of the Constitution of India .

xvii) Even in a case where the High Court is prima facie of the opinion that an exceptional case is made out for grant of interim stay of further investigation, after considering the broad parameters while exercising the powers under Section 482 Cr.P.C., 1973 and/or under Article 226 of the Constitution of India referred to hereinabove, the High Court has to give brief reasons why such an interim order is warranted and/or is required to be passed so that it can

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demonstrate the application of mind by the Court and the higher forum can consider what was weighed with the High Court while passing such an interim order.

xviii) Whenever an interim order is passed by the High Court of "no coercive steps to be adopted" within the aforesaid parameters, the High Court must clarify what does it mean by "no coercive steps to be adopted" as the term "no coercive steps to be adopted" can be said to be too vague and/or broad which can be misunderstood and/or misapplied." (emphasis added)

16. As far as the argument qua vicarious liability is concerned, it is correct that when the offence pertains to certain statutes, the accused can take advantage of material, that is incontrovertible and sterling in nature, in order to prove that their arraignment is unjustified. However, the FIR (*supra*) pertains to an offence under Section 420 of IPC, which is a serious economic offence, with long-term and far-reaching consequences, as compared to the statutes like Negotiable Instruments Act, 1881, Insecticides Act, 1969 etc. In the present case, wrongful loss, to the tune of hundreds of crores, has been caused to as many as 1162 innocent investors, who had placed their trust and lifetime savings in the hands of the accused company. The petitioner might not have been an office-bearer or a shareholder, however, that does not mechanically makes her irrelevant to the present case. As such, master data (Annexure P-2) from the Ministry of Corporate Affairs does not come to the rescue of the petitioner and therefore, this Court is of the considered view that interference, at this stage, is thoroughly unwarranted, as investigation is still underway. The role of the petitioner, if any, will be determined post-conclusion of the

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investigation. Moreover, it is probable that intervention at this juncture enhances the misery of the victims of this fraud and pulls them further away from justice.

17. Since the complicity of the accused and the extent thereof can only come to the fore, once the investigation process is complete, it must be allowed to take its natural course for the truth to be unearthed. Meanwhile, this Court must not engage with the probable defence of the petitioner. Recently, a two Judge Bench of the Hon'ble Supreme Court in *Anil Bhavarlal Jain*'s case (*supra*), speaking through Justice Prasanna B. Varale, the following was opined:

*“16. Another reference can be made to the judgment of this Court in **Parbatbhai Aahir v. State of Gujrat and Anr. (2017) SCC Online SC 1189** wherein it was observed that, economic offenses involving financial and economic well-being of the state have implications which lie beyond the domain of a mere dispute between the private disputants. **The High Court would be justified in declining to quash where the offender is involved in an activity akin to a financial or economic fraud or misdemeanour. The consequences of the act complained of upon the financial or economic system will weigh in the balance. Thus, it can be concluded that economic offences by their very nature stand on a different footing than other offences and have wider ramifications. They constitute a class apart. Economic offences affect the economy of the country as a whole and pose a serious threat to the financial health of the country. If such offences are viewed lightly, the confidence and trust of the public will be shaken.***

*17. A profitable reference in this regard can be made to the judgment in **State vs. R Vasanthi Stanley** wherein this Court declined to quash the proceedings in a case involving alleged abuse of the financial system. It was observed as under:*

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"15. A grave criminal offence or serious economic offence or for that matter the offence that has the potentiality to create a dent in the financial health of the institutions is not to be quashed on the ground that there is delay in trial or the principle that when the matter has been settled it should be quashed to avoid the head on the system. That can never be an acceptable principle or parameter, for that would amount to destroying stem cells of law and order in many a realm and further strengthen the marrow of unscrupulous litigations. Such a situation should never be conceived of." (emphasis added)

CONCLUSION

18. Keeping in view the enormity of the fraud and the large number of victims, a comprehensive in depth probe is imperative. As such, in view of the facts and circumstances of the case as well as the ratio of law laid down by the Hon'ble Supreme Court in the cases referred to above, this Court finds no ground to quash the FIR (*supra*). Accordingly, present petition is dismissed

19. All the pending miscellaneous application(s), if any, shall stand disposed of.

07.04.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No