2026:DHC:7595

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

Reserved on: 19.08.2026
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\# **CNR No. DLHC010289892026**

\+ **CRL.M.C. 4722/2026 & CRL.M.A. 19828/2026, CRL.M.A. 19829/2026**

SANGITA ARORA .....Petitioner

Through: Mr. Tanveer Ahmed Mir, Sr. Adv. with Mr. Yash Datt and Mr. Chandra Shekhar Anand, Advs.

versus

STATE OF NCT DELHI & ANR. .....Respondents

Through: Mr. Manoj Pant, APP for State.

\# **CNR No. DLHC010292642026**

\+ **CRL.M.C. 4723/2026 & CRL.M.A. 19830/2026, CRL.M.A. 19831/2026**

MOHIT ARORA .....Petitioner

Through: Mr. Tanveer Ahmed Mir, Sr. Adv. with Mr. Yash Datt and Mr. Chandra Shekhar Anand, Advs.

versus

STATE OF NCT DELHI & ANR. .....Respondents

Through: Mr. Manoj Pant, APP for State.

\# **CNR No. DLHC010289882026**

\+ **CRL.M.C. 4724/2026 & CRL.M.A. 19835/2026, CRL.M.A. 19836/2026**

RAM KISHOR ARORA .....Petitioner

Through: Mr. Tanveer Ahmed Mir, Sr. Adv. with Mr. Yash Datt and Mr. Chandra Shekhar Anand, Advs.

versus

STATE OF NCT DELHI & ANR. .....Respondents

Through: Mr. Manoj Pant, APP for State.

CORAM:
HON'BLE MS. JUSTICE MADHU JAIN

JUDGMENT

MADHU JAIN, J.

1. The present batch of three connected petitions arises out of a common set of facts and challenges the criminal proceedings emanating from ***FIR No. 105/2020***, registered at Police Station Economic Offences Wing. The petitioners have also challenged the common order dated 30.03.2026, whereby the learned Additional Sessions Judge-02, South-East District, Saket Courts, dismissed their respective criminal revision petitions and affirmed the order dated 22.03.2025 passed by the learned Trial Court taking cognizance of the alleged offences and summoning the accused persons.

2. Since the three petitions arise out of the same FIR, involve substantially overlapping facts and challenge the same set of proceedings, they are being heard and disposed of by this common judgment.

BRIEF FACTS:

3. The genesis of the present proceedings lies in a complaint made by Ajay Kumar Gupta before the Economic Offences Wing in relation to the alleged non-delivery of flats booked in a real estate project developed by M/s Supertech Limited. During the course of investigation, several other homebuyers also joined the investigation and made similar allegations against the company and its directors.

4. The allegations pertain to a residential project known as "Hill Town", situated in Sector-2, Sohna, Haryana. The project was launched in the year 2014 and the homebuyers had booked flats therein under a

subvention scheme. As per the allegations, the company represented that the purchasers were required to make an initial payment of 10% of the sale consideration, whereas the company would bear the pre-EMI liability for the agreed period until the delivery of possession.

5. According to the complainants, despite the representations made at the time of booking, possession of the respective flats was not delivered within the stipulated period. It is further alleged that the company subsequently discontinued payment of the pre-EMIs, thereby resulting in the concerned homebuyers becoming liable towards the financial institutions from whom the loans had been obtained.

6. The complainants further alleged that substantial amounts had been collected from homebuyers in connection with the project; however, the project remained incomplete. The allegations also concern the alleged diversion and utilisation of the funds received in connection with the project. It is on the basis of these allegations that a complaint dated 13.06.2019was made before the Economic Offences Wing.

7. Consequently, FIR No. 105/2020 came to be registered on 18.08.2020 for the offences alleged therein against the company, its directors and other persons connected with the affairs of the company. During the course of investigation, the investigating agency examined the complaints of several other homebuyers who had allegedly faced similar difficulties in relation to the project.

8. The petitioners, however, dispute the allegations and contend that the project was affected by several circumstances beyond their control, including developments in the real estate sector, demonetisation, the COVID-19 pandemic and other circumstances affecting the construction

and completion of the project. The petitioners also contend that the company had initially been making payments towards the pre-EMIs of the homebuyers in accordance with the subvention arrangement.

9. It is further the case of the petitioners that certain settlements were entered into between the company and some of the homebuyers. The petitioners had also previously approached this Court in Crl. M.C. No. 8979/2023 seeking quashing of the FIR. The said proceedings, however, were subsequently withdrawn following the filing of the charge-sheet.

10. Upon completion of investigation, the investigating agency filed a charge-sheet dated 22.08.2024 before the learned Chief Judicial Magistrate, South-East District, Saket Courts, New Delhi. The charge-sheet alleges, inter alia, the commission of offences under Sections 406, 420 and 120B of the Indian Penal Code, 1860, and attributes criminality to the company and its concerned directors and office bearers in connection with the representations allegedly made to the homebuyers and the utilisation of the funds received from them.

11. Thereafter, by order dated 22.03.2025, the learned Trial Court took cognizance of the offences and issued summons to the accused persons. The petitioners subsequently appeared before the learned Trial Court on 17.07.2025.

12. The petitioners thereafter challenged the cognizance and summoning order before the learned Sessions Court by filing separate criminal revision petitions. The said revision petitions, being Criminal Revision Nos. 56/2026, 57/2026 and 58/2026, were heard together. By a common order dated 30.03.2026, the learned Additional Sessions Judge-02, South-East District, Saket Courts, dismissed the revision petitions and

declined to interfere with the order taking cognizance and issuing summons.

13. The petitioners have also raised distinct contentions regarding their individual roles in the affairs of M/s Supertech Limited. In particular, petitioner Sangita Arora has contended that, although she was associated with the company as a Director, she did not have any active role in the day-to-day affairs of the company or in the management of the project in question.

14. The other petitioners have similarly sought to challenge the proceedings by disputing the nature and extent of their respective involvement in the alleged transactions and contending that the allegations essentially arise from disputes concerning delay in completion of the project and delivery of possession to the homebuyers.

15. Aggrieved by the order dated 22.03.2025 passed by the learned Trial Court taking cognizance and summoning the accused persons, as well as the common revisional order dated 30.03.2026 passed by the learned Additional Sessions Judge-02, South-East District, Saket Courts, dismissing their respective criminal revision petitions, the present petitioners have approached this Court by way of the present connected petitions under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking quashing of the impugned orders and the consequential criminal proceedings.

SUBMISSIONS ON BEHALF OF THE PETITIONERS:

16. Learned counsel submits that the scope of revisional jurisdiction requires the Revisional Court to independently examine whether the order

under challenge suffers from any patent error, jurisdictional defect, illegality or perversity. Reliance in this regard is placed upon the judgment of the Supreme Court in ***Amit Kapoor v. Ramesh Chander, (2012) 9 SCC 460***, wherein the scope of revisional jurisdiction and the duty of the Revisional Court to examine the legality, correctness and propriety of an order have been explained. It is contended that the impugned revisional order does not reflect an independent consideration of the specific objections raised by the petitioner and, therefore, warrants interference.

17. It is further submitted that the petitioner had no direct involvement in the alleged transactions forming the subject matter of the FIR. According to the petitioner, she is essentially a homemaker and had no active participation in the day-to-day affairs, management or financial transactions of the company. It is submitted that she was inducted as a Director primarily because of her marital relationship with one of the promoters/directors of the company and not on account of any active managerial or operational role.

18. Learned counsel submits that the petitioner does not possess any particular technical or professional expertise in the real estate business and that the mere fact that she held the position of Director cannot, by itself, result in the fastening of criminal liability upon her. It is argued that neither the chargesheet nor the material relied upon by the prosecution attributes any specific act, decision or role to the petitioner in relation to the subject project or the transactions forming the subject matter of the prosecution.

19. It is further contended that criminal jurisprudence does not

recognise automatic vicarious liability of the Directors of a company unless the statute specifically provides for such liability. Reliance is placed upon the decision of the Supreme Court in ***Sunil Bharti Mittal v. Central Bureau of Investigation, (2015) 4 SCC 609***, wherein it was held that where a company is alleged to have committed an offence, its Directors cannot automatically be made criminally liable in the absence of a specific statutory provision or material showing their individual role and involvement.

20. Reliance is also placed upon ***Maksud Saiyed v. State of Gujarat, (2008) 5 SCC 668***, to contend that in the absence of specific allegations and material demonstrating the individual role of a Director, criminal liability cannot be fastened merely on the basis of the position held by such person in the company. The petitioner also relies upon the decision of this Court in ***Anil Bhalla v. State, Crl.M.C. 2071/2022***, decided on 06.05.2022, wherein the Court considered the absence of any specific material concerning the individual role of a Director and the requirement of proper application of mind at the stage of issuance of summons.

21. It is submitted that the petitioner was merely a nominal Director and did not participate in the day-to-day functioning or management of the company. According to learned counsel, the petitioner may have signed certain documents or statutory papers at the instance of the company or its officials, but such circumstance, without any material showing conscious participation in the alleged offence, cannot form the basis for prosecuting her.

22. Learned counsel further submits that the offences under Sections 406, 420 and 120B IPC are not made out against the petitioner. It is

contended that there is no material to show that any property was ever entrusted to the petitioner or that she exercised dominion over any property belonging to the complainants so as to attract the ingredients of the offence under Section 406 IPC.

23. With regard to the allegation under Section 420 IPC, it is submitted that there is no material demonstrating that the petitioner induced or deceived any of the complainants or that she possessed a dishonest intention at the inception of the relevant transactions. Learned counsel submits that the essential requirement for constituting the offence of cheating is the existence of fraudulent or dishonest intention at the time of making the representation or inducement. Reliance in this regard is placed upon ***Sushil Sethi v. State of Arunachal Pradesh, (2020) 3*** **SCC 240**, and ***V.Y. Jose v. State of Gujarat, (2009) 3 SCC 78.***

24. It is the further submission of the petitioner that the disputes between the homebuyers and the company arise substantially from alleged delay in handing over possession and alleged default in fulfilling certain payment obligations, including the payment of Pre-EMIs. According to learned counsel, such disputes arise from contractual obligations under the agreements entered into between the parties and, at the highest, give rise to civil consequences. It is submitted that a mere breach of contract cannot automatically be converted into an allegation of cheating in the absence of material showing dishonest intention from the inception of the transaction.

25. Learned counsel further contends that the petitioner had specifically raised the issue regarding the simultaneous invocation of Sections 406 and 420 IPC. Reliance is placed upon the judgment of the Supreme Court in ***Delhi Race Club (1940) Ltd. & Ors. v. State of Uttar Pradesh, 2024***

SCC OnLine SC 2248, wherein the distinction between the offences of criminal breach of trust and cheating was discussed. It is submitted that the two offences operate in different factual circumstances, namely, one arising out of alleged entrustment followed by dishonest misappropriation and the other requiring dishonest intention at the inception of the transaction.

26. It is, therefore, contended that the learned Revisional Court failed to adequately examine the petitioner's submission that, on the facts alleged, the ingredients of Sections 406 and 420 IPC were not independently satisfied. Learned counsel further submits that there is no material indicating any agreement between the petitioner and any other person to commit an illegal act and, consequently, the ingredients of the offence of criminal conspiracy punishable under Section 120B IPC are also absent.

27. It is further argued that the cognizance and summoning order dated 22.03.2025 is cryptic and does not reflect due application of mind to the specific role allegedly played by the petitioner. It is contended that the learned Chief Judicial Magistrate proceeded on the basis of general allegations against the company and summoned the petitioner without identifying any specific material demonstrating her individual involvement in the alleged offences.

28. Reliance is placed upon ***Pepsi Foods Ltd. v. Special Judicial Magistrate, (1998) 5 SCC 749***, and ***Sunil Bharti Mittal*****(supra),** to submit that summoning a person to face criminal proceedings is a serious judicial act and cannot be undertaken mechanically. Learned counsel submits that the summoning order must demonstrate that the Court has applied its mind to the material on record and has formed a prima facie opinion

regarding the role of the person summoned.

29. It is also submitted that the learned Revisional Court, despite being specifically apprised of the aforesaid infirmities in the summoning order, failed to independently scrutinise whether any prima facie material existed against the petitioner. According to the petitioner, the chargesheet and the accompanying material do not disclose any specific act attributable to her which would satisfy the essential ingredients of the offences alleged.

SUBMISSIONS ON BEHALF OF THE RESPONDENTS:

30. Learned APP appearing on behalf of the State opposes the present petition and submits that the material collected during the course of investigation discloses a prima facie case against the petitioner and the other accused persons for the offences punishable under Sections 406, 420 and 120B IPC.

31. It is submitted that the present FIR was registered on 18.08.2020 at Police Station EOW on the complaint of one Ajay Kumar Gupta against M/s Supertech Limited, its Chairperson, Directors and other office bearers. The allegations pertain to the residential project known as "HillTown" situated at Sector-02, Sohna, Haryana, which, according to the prosecution, was launched under a subvention scheme.

32. Learned APP for the State submits that the complainant had alleged that under the said subvention scheme, he was required to pay only 10% of the consideration amount until possession of the allotted property was handed over, while the accused company had undertaken to service the Pre-EMIs payable to the lending bank until such time. It was also represented that possession would be handed over within the stipulated period of approximately 36 months.

33. It is submitted that pursuant to the approval of the home loan, an allotment letter, Memorandum of Understanding and a tripartite agreement were executed between the concerned bank, the complainant and the accused company. Thereafter, the complainant allegedly made payment of Rs.62,62,109/- to the accused company on 07.10.2017.

34. Learned APP submits that the allegation of the complainant was that the accused company, contrary to the terms of the Memorandum of Understanding dated 09.05.2015, stopped servicing the Pre-EMIs payable in respect of the complainant after September 2018 and also discontinued the construction work relating to the project. According to the prosecution, these circumstances gave rise to allegations that the complainant and other homebuyers had been induced to enter into the transactions on representations which were subsequently not fulfilled.

35. It is further submitted that, during the course of investigation, as many as 38 complaints concerning the same project and containing similar allegations were received and were clubbed with the present case. According to the investigation, the approximate total loss alleged by the complainants was Rs.22.80 crores. It is stated that the accused persons furnished documents pertaining to settlements with only 8 victims out of the 37 victims referred to in the status report.

36. Learned APP for the State submits that the investigation also included examination of the records obtained from the Registrar of Companies, as well as the account statements and balance sheets of M/s Supertech Limited. According to the learned APP, the investigation revealed that the accused company continued to receive booking amounts from the homebuyers while the payments of Pre-EMIs under the

subvention scheme were allegedly discontinued.

37. With particular reference to the petitioner, learned APP submits that the investigation revealed that the petitioner, Sangita Arora, had been a Director of M/s Supertech Limited from 07.12.1995 until her resignation on 01.09.2018. It is further submitted that she held approximately 34% shareholding in the company. According to the status report, the petitioner had filed the balance sheets of the company, attended meetings of the Board of Directors and was an authorised signatory of the bank account of the accused company.

38. The learned APP further submits that the investigation revealed that the petitioner was not merely sought to be prosecuted solely on account of her designation as a Director. It is the case of the prosecution that the material collected during investigation indicated her association with the affairs of the company, including her participation in the Board of Directors and her role as an authorised signatory. The status report further states that she was involved in managing the day-to-day affairs of the company.

39. It is further submitted that the alleged project was launched under the subvention scheme in January 2015 and the booking of flats had commenced from 24.01.2014. According to the prosecution, the licence from the Directorate of Town and Country Planning was obtained subsequently. It is alleged that, under the assurances extended to the homebuyers, the accused were required to service the Pre-EMIs and hand over possession by December 2018, subject to a grace period of six months. However, according to the status report, the project had not been completed.

40. Learned APP for the State submits that after completion of the investigation, a chargesheet was filed on 20.09.2024 against M/s Supertech Limited and its Directors, including the present petitioner, namely Ram Kishor Arora, Sangita Arora, Mohit Arora, Anil Kumar Sharma, Vikas Kansal, Pradeep Kumar Goel, Anil Kumar Jain and Gulshan Lal Khera.

41. It is further submitted that the learned Chief Judicial Magistrate, South-East District, Saket Courts, took cognizance and summoned the accused persons, including the petitioner, vide order dated 22.03.2025. The petitioner thereafter challenged the said order by filing a revision petition before the learned Additional Sessions Judge, South-East District, Saket Courts. However, the said challenge was unsuccessful and the revision petition was dismissed vide order dated 30.03.2026.

42. Learned APP for the State, therefore, submits that the petitioner has already availed of the remedy of revision against the summoning order and that the learned Revisional Court, after considering the matter, declined to interfere with the order passed by the learned Trial Court.

43. It is also submitted that the matter is presently pending before the learned Trial Court and the next date before the Trial Court, as reflected in the status report, is 18.11.2026 for miscellaneous proceedings/appearance. The learned APP submits that the prosecution should be permitted to proceed in accordance with law and that no case for interference with the impugned orders is made out in the present petition.

ANALYSIS AND FINDINGS:

44. This Court has heard learned Senior Counsel appearing for the petitioners and learned APP for the State, and has also carefully

considered the material placed on record, including the chargesheet, the order dated 22.03.2025 passed by the learned Chief Judicial Magistrate and the common revisional order dated 30.03.2026 passed by the learned Additional Sessions Judge.

45. At the outset, it is necessary to bear in mind the limited nature of the jurisdiction being exercised by this Court under Section 528 of the BNSS. This Court is not required, at this stage, to undertake a detailed examination of the evidence or to determine whether the prosecution will ultimately be able to prove its case beyond reasonable doubt. The Court is only required to see whether the material collected during investigation discloses a prima facie case and whether the orders under challenge suffer from any patent illegality, jurisdictional error or manifest perversity. The defence of the accused and competing versions of the facts cannot ordinarily be examined as though the Court were conducting a trial.

46. The principal contention raised on behalf of the petitioners is that they cannot be prosecuted merely because they were Directors of the company. There can be no disagreement with this proposition. The law does not recognise automatic criminal liability merely on account of a person's designation as a Director. The judgments relied upon by the petitioners in ***Sunil Bharti Mittal (supra)*** and ***Maksud Saiyed (supra)*** clearly recognise that a Director cannot be proceeded against solely on the basis of his or her position in a company, in the absence of any material indicating individual involvement in the alleged offence.

47. However, the above principle cannot be read to mean that every Director must necessarily be discharged or have the proceedings quashed merely by asserting that he or she had no role in the day-to-day affairs of

the company. Each case must ultimately depend upon the material collected during investigation. Where the prosecution has placed material indicating the participation or involvement of a particular Director in the affairs relevant to the allegations, the question whether such material is ultimately sufficient to establish criminal liability must ordinarily be left to be tested during the trial.

48. In the case of petitioner Sangita Arora, the material relied upon by the prosecution is not confined merely to her designation as a Director. According to the status report, she remained a Director of M/s Supertech Limited from 07.12.1995 until her resignation on 01.09.2018. It is further the case of the prosecution that she held approximately 34% shareholding in the company, filed its balance sheets, attended meetings of the Board of Directors and was also an authorised signatory to the bank account of the company.

49. The prosecution has further specifically asserted that the petitioner was involved in the management and day-to-day affairs of the company. Whether these allegations and the material relied upon in support thereof will ultimately establish her criminal liability is undoubtedly a matter to be determined during the course of trial. However, at this stage, it cannot be said that there is absolutely no material connecting her with the affairs of the company or that she has been arraigned as an accused solely because she happened to hold the position of a Director.

50. The decisions in ***Sunil Bharti Mittal (supra)*** and ***Maksud Saiyed (supra)***, therefore, do not assist the petitioner to the extent contended. Those judgments prohibit the mechanical fastening of criminal liability upon a Director merely because of the office held by him or her. They do

not prohibit prosecution where the investigating agency has collected material which, prima facie, connects the individual concerned with the affairs forming the subject matter of the allegations. Similarly, the decision in ***Anil Bhalla v. State (supra)*** was rendered in the context of the material available in that particular case. The petitioner cannot seek quashing as a matter of course by relying upon the general proposition that designation alone is insufficient, when the prosecution asserts that there is additional material concerning her role and participation.

51. The next submission of the petitioners is that the dispute is essentially civil in nature and arises out of alleged delay in completion of the project and failure to hand over possession within the stipulated period. There is no dispute about the legal principles laid down in ***V.Y. Jose (supra)*** decisions make it clear that a mere breach of contract cannot, by itself, give rise to an offence of cheating. The intention to deceive must be present at the inception of the transaction and a purely contractual dispute cannot be given a criminal colour merely because one party subsequently fails to fulfil its obligations.

52. However, the allegations in the present case cannot, at this stage, be reduced merely to a dispute regarding delayed possession. According to the prosecution, the project was marketed under a subvention scheme pursuant to which homebuyers were required to make only a limited initial contribution and the company undertook to pay the Pre-EMIs until possession was handed over. The allegations are that substantial amounts were thereafter received from the homebuyers, the company subsequently stopped servicing the Pre-EMIs and the project remained incomplete. The investigation also refers to several other homebuyers making similar

allegations in relation to the same project.

53. The prosecution case is, therefore, not based merely upon the assertion that possession was delayed. It is also based upon the manner in which the transactions were allegedly structured, the representations made to the homebuyers, the continued collection of amounts and the subsequent alleged failure to fulfil the commitments forming the basis of the subvention arrangement. Whether these circumstances ultimately establish dishonest intention from the very beginning is a matter which can only be determined after the evidence is led. At this stage, however, this Court cannot hold that the allegations are so plainly and exclusively civil in nature that continuation of the criminal proceedings would amount to an abuse of process.

54. The judgments relied upon by the petitioners in this regard were rendered in cases where, upon examination of the allegations, the Courts found that the necessary ingredients of the criminal offences were absent and that the dispute was essentially contractual or civil. The said judgments do not lay down that every transaction arising from a contract must necessarily be treated as a civil dispute. Where the allegations, taken at their face value, disclose circumstances which prima facie require investigation and adjudication in respect of alleged inducement, receipt and utilisation of funds, the criminal proceedings cannot be quashed merely because the transaction also has a contractual element.

55. The submission regarding the simultaneous invocation of Sections 406 and 420 IPC also does not persuade this Court to interfere at this stage. It is correct that the offences of criminal breach of trust and cheating have distinct ingredients. As explained in *Delhi Race Club*

(1940) Ltd. & Ors ***(supra)*** the two offences operate in different factual situations and the distinction between dishonest inducement and entrustment followed by dishonest misappropriation cannot be ignored.

56. However, the said judgment does not lay down that a criminal prosecution must necessarily be quashed at the threshold merely because the chargesheet invokes both Sections 406 and 420 IPC. The precise nature of the transaction, the role of each accused and the question whether the ingredients of either or both offences are ultimately established are matters which can be examined by the learned Trial Court in accordance with law. At this stage, the Court is only concerned with whether the allegations and material collected disclose a prima facie basis for the proceedings to continue.

57. The petitioners have also contended that the offence of criminal conspiracy under Section 120B IPC is not made out as there is no direct material showing any agreement between the accused persons to commit an illegal act. This submission also cannot be accepted at this stage. The existence of a conspiracy is ordinarily a matter which is required to be inferred from the conduct of the parties and the circumstances brought on record. Direct evidence of an agreement is seldom available. Whether the material ultimately establishes a meeting of minds between the accused persons is a matter to be examined upon appreciation of the evidence and cannot ordinarily be conclusively determined in proceedings under Section 528 BNSS.

58. The challenge to the cognizance and summoning order on the ground that it is cryptic also does not merit interference. It is undoubtedly settled law that summoning an accused in a criminal case is a serious

matter and the Magistrate is required to apply his mind to the material placed before him. The decisions in ***Pepsi Foods Ltd (supra)*** reiterate this requirement.

59. At the same time, the decisions do not require that an order taking cognizance and issuing summons should contain a detailed examination of every document and every defence which may subsequently be raised by an accused. At that stage, the Court is not expected to conduct a mini-trial or record detailed findings on the guilt or innocence of each accused. The requirement is that the Court must apply its mind to the material and form a prima facie opinion that sufficient grounds exist for proceeding.

60. In the present case, the chargesheet and the material collected during investigation were before the learned Trial Court. The learned Trial Court took cognizance of the offences and issued summons to the accused persons. The petitioners thereafter availed of their statutory remedy of revision, and the learned Revisional Court, after considering the challenge, declined to interfere with the cognizance and summoning order.

61. This Court is also unable to accept the submission that the revisional order dated 30.03.2026 warrants interference merely because the petitioners are dissatisfied with the conclusions reached therein. A revisional court is required to examine the legality, correctness and propriety of the order under challenge; however, the scope of such jurisdiction does not permit it to substitute its own view in every case where another view may also be possible.

62. Having considered the material placed before this Court, it cannot be said that the impugned orders suffer from any jurisdictional defect,

patent illegality or manifest perversity warranting interference under Section 528 BNSS. The contentions raised by the petitioners substantially require an examination of their individual roles, the financial transactions of the company and the circumstances in which the project remained incomplete. These are matters which cannot appropriately be decided by conducting a detailed appreciation of evidence at the stage of considering a petition for quashing.

CONCLUSION:-

63. This Court finds no ground to exercise its inherent jurisdiction, as the material on record discloses a *prima facie* case warranting continuation of the criminal proceedings. The orders dated 22.03.2025 and 30.03.2026, therefore, call for no interference.

64. Accordingly, the present petitions stand dismissed. Pending application(s), if any, also stand disposed of and the *interim* order, if any, stands vacated.

65. It is clarified that the observations made herein are confined to the adjudication of the present petitions and shall not prejudice the petitioners' case on merits before the learned Trial Court.

66. Let a copy of this order be sent to the learned Trial Court for information and necessary compliance.

MADHU JAIN
(JUDGE)

SEPTEMBER 08, 2026/*P*