



CRM-M-44321-2025 (O&M)

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

S.No.289+219

I.

CRM-M-44321-2025 (O&M)  
**Date of Decision : 20.8.2025**

Vinod Ambawatta alias Vinod Kumar

... Petitioner

Versus

State of Haryana

...Respondent

II.

CRM-M-44084-2025 (O&M)

Dev Lal

... Petitioner

Versus

State of Haryana

...Respondent

III.

CRM-M-44097-2025 (O&M)

Ramanuj

... Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Gaurav Chopra, Sr.Advocate with  
Mr. Harpreet Singh Multani, Advocate,  
Mr. Nikhil Deora, Advocate,  
Mr. Hashan, Advocate,



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Mr. Vasu Kalra, Advocate,  
for the petitioner in CRM-M-44321-2025.

Mr. R.S.Rai, Sr. Advocate with  
Ms. Rubina Virmani, Advocate,  
Ms. Prachi Gupta, Advocate,  
Mr. Viren Sibal, Advocate,  
Mr. Shayon Sen, Advocate,  
for the petitioners in CRM-M-44097-2025 and  
CRM-M-44084-2025

Ms. Vasundhra Dalal Anand, Sr. DAG, Haryana  
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**YASHVIR SINGH RATHOR, J. (Oral)**

Prayer in the present petition is for grant of regular bail to aforesaid petitioners-Vinod Ambawatta alias Vinod Kumar, Dev Lal and Ramanuj in case arising out of FIR No.144 dated 2.6.2024 registered under Sections 420, 423, 467, 468, 471, 177, 120-B IPC and Section 81, 82 of Registration Act at Police Station Sector 40, Gurugram.

2. Brief facts of the prosecution case are that on 15.3.2024, a complaint was received from the office of Sub-Registrar-cum-SDM Badshahpur for registration of FIR against Subhash Dutt, K.S.Pathania, Radox Tradex Private Limited, SM Premium Home Private Limited, Rosemarta Infrastructure Private Limited, Star Care Real Estate Private Limited and other persons involved in the conspiracy and cheating and under Prevention of Corruption Act. It was alleged that one Dhirender Brahamchari had got registered Aparna Ashram Society and the society had purchased land measuring 192 kanal 16 marla situated in village Silokhra, Tehsil and District Gurugram where he was running a Yog Ashram. On 14.12.2020, K.S.Pathania moved an application before Amit Khatri, the then



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Deputy Commissioner-cum-Registrar Gurugram for registration of sale deed manually on the basis of which permission was accorded. No document regarding the disability being suffered by K.S.Pathania was produced with the application. On 17.12.2020, Dr. Surya Prakash, Advocate moved a complaint before Shri Amit Khatri and prayed for withdrawal of the permission. On 20.12.2020, Tatvam Ventures Limited Company also moved a complaint from which it was revealed that K.S.Pathania had intentionally concealed the decided as well as pending cases with respect to the disputed land and obtained the permission fraudulently. The then Deputy Commissioner immediately ordered the withdrawal of permission but despite that, the sale deed was registered manually on 24.12.2020 in respect of the aforesaid land and the sale consideration was paid by way of 29 cheques worth ₹ 55 crores. The officials of the Deputy Commissioner office told that the Sub-Registrar, Wazirabad was telephonically informed about the withdrawal of the permission but the office of Sub-Registrar, Wazirabad denied having received any such intimation. On 27.12.2020, Shri Amit Khatri which exercising his powers under Haryana Registration Manual Para No.1(59A) cancelled the sale deed. It is further alleged that on 6.1.2021, Radox Tradex Private Limited challenged the order passed by the Deputy Commissioner-cum-Registrar by way of CWP-494-2021 before High Court of Punjab and Haryana and High Court passed order dated 28.2.2023 relegating him to avail remedy under law. Thereafter, the purchaser companies filed one civil suit in Gurugram Court which was dismissed on 2.2.2024. On 21.12.2024, Laxman Chaudhary got cancelled the sale deed vide document No.6065 dated 24.12.2020 and got registered one



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cancellation deed dated 21.2.2024 in the office of Sub-Registrar, Wazirabad. Thereafter, all the four companies filed one civil suit challenging the cancellation and one contempt petition before High Court of Delhi and Chandigarh. Thereafter, all the 4 companies started insolvency proceedings before NCLT, Chandigarh Bench. K.S.Pathania also moved an application that out of 29 cheques, he had received only 4 cheques which also got dishonoured and the purchaser company have failed to pay the amount relating to the remaining 25 cheques. It was also alleged that Subhash Dutt and K.S.Pathania who had executed the sale deed did not have any right or authority to execute the sale deed and the sale deed is forged, false, illegal and unlawful. With these allegations, the FIR was registered.

4. Learned Senior Counsel for petitioner-Vinod Ambawatta alias Vinod Kumar argued that FIR in question was registered on 2.6.2024. The final report was presented on 26.11.2024 and thereafter, supplementary challan was presented on 1.3.2025. Petitioner Vinod Ambawatta was arrested on 28.3.2025 and thereafter supplementary challan was presented against him on 17.5.2025 and again supplementary challan was presented against some more accused on 3.7.2025. The prosecution has cited 54 witnesses. All the offences are Magisterial trial and only 1 or 2 witnesses have been examined till date and the trial is not likely to be concluded soon and in view of his prolonged incarceration, the petitioner is entitled to be released on bail.

5. Learned Senior counsel further contended that main accused namely Amit Katyal who had shares in all the four companies and had purchased the land has already been released on bail by a Coordinate Bench



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of this Court vide order dated 7.7.2025. Another accused namely Kailash Chaturvedi too has been released on bail by a Coordinate Bench of this Court vide order dated 11.7.2025 and the petitioner too is entitled to be released on bail on the ground of parity as well.

6. Learned Senior Counsel further contended that the police in its status report filed today in Court has admitted that on 4.12.2020, Registrar of Societies decided representation dated 21.9.2020 and 22.10.2020 submitted by K.S.Pathania and Registrar of Societies held that Subhash Dutt, K.S.Pathania and 6 more persons who were members of the general body and Subhash Dutt and K.S.Pathania along with two more persons being members of governing council had the mandate to carry on the activities of Aparna Ashram Society. The general body and the governing council was affirmed by the Registrar of Societies. Thereafter, a meeting of the general body and the governing council was held and a resolution was passed and the proposed sale deed and the joint development agreement with Radox Tradex Private Limited and its sister concerns was approved and it was decided that the sale deeds and joint development agreement shall be executed on behalf of Aparna Ashram Society by its President Shri Subhash Dutt and K.S.Pathania on receipt of sale consideration in terms of the earlier executed agreement of sale dated 19.8.2020 and they were authorised to get the sale deeds and other relevant documents registered before Sub-Registrar at Gurugram. While referring to the said resolution, learned Senior counsel argued that all the four companies had purchased the land from the authorised persons of Aparna Ashram Society and no illegality was committed. He further contended that the after dispute arose, the sale deed



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has already been got cancelled by all the four companies by filing a civil suit bearing No.CS-1600-2025 titled Radox Tradex Private Limited and others v. Aparna Ashram Society decided on 12.7.2025 vide judgment and decree dated 12.7.2025 on the admission of Aparna Ashram Society and others. An intimation has been ordered to be given to Sub-Registrar, Wazirabad to make endorsement of cancellation of the sale deed and now the land has reverted to the said society. Learned Senior counsel prayed that the petitioner be released on bail

7. Learned Senior counsel appearing for Ramanuj and Dev Lal argued that all the sale deed was executed on 24.12.2020 and the petitioners were not a party or they were not in picture by that time. They purchased equity share from the share holders of all the four companies on 27.4.2021 and became Directors of the said 4 companies on 2.8.2021. They did not play any role in the execution of the sale deeds. Petitioner Dev Lal is in custody since 16.12.2024 while petitioner Ramanuj is in custody since 23.2.2025. All the main accused including Amit Katyal, Kailash Chaturvedi and Ramanand Yadav have already been released on bail by Coordinate Bench of this Court and by the Court of Sessions at Gurugram. Trial is likely to take long time to conclude which is Magisterial trial and their further detention is not required and they may be released on bail.

8. On the other hand, learned State counsel has opposed the bail and argued that the petitioners are not entitled to be released on bail on the ground of parity as accused Amit Katyal and Ramanand Yadav have been released on medical grounds. The petitioners have committed a heinous offence and have cheated not only the Society but the State as well as the



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amount of sale consideration was undervalued and huge loss has been caused to the State Exchequer. Learned State counsel argued that such type of white collar crimes which affect the fiber of the country's economic structure have to be dealt with a deterrent hands and while granting bail in such cases, the Court has to keep in mind the nature of accusations, nature of evidence in support thereof, severity of punishment which conviction will entail, the character of the accused, circumstances which are peculiar to the accused, reasonable possibility of securing presence of the accused at the trial and reasonable apprehension of witnesses being tampered with or being won over, larger interests of the public and the State and other similar considerations. Learned State counsel argued that economic offences need to be visited with different approach in the matter of bail as the same have deep rooted conspiracies and involving huge loss of public funds needs to be viewed seriously and the petitioners, thus, do not deserve the concession of bail. In support of her contention, learned State counsel has cited judgment dated 9.5.2013 passed by Hon'ble Supreme Court in **Nimmagadda Prasad v. Central Bureau of Investigation (Criminal Appeal No.728 of 2013 out of SLP (CrI.) No.9706-2012)**.

9. It is not in dispute that the investigation in the present case stands concluded and the challan has been presented against accused Vinod Ambawatta @ Vinod Kumar on 17.5.2025 who is in custody since 28.3.2025. Petitioner Dev Lal is in custody since 16.12.2024 while petitioner Ramanuj is in custody since 23.2.2025 and challan against them has also been presented. 54 witnesses have been cited by the prosecution out of whom, only 2 witnesses have been examined till date. All the offences are



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Magisterial trial and the trial is certainly going to take long time to conclude. Co-accused Amit Katyal, Kailash Chaturvedi have been released on bail by Coordinate Bench of this Court while Ramanand Yadav has been released on bail by the trial Court. It is not in dispute that Registrar of Companies had decided representations dated 21.9.2020 and 22.10.2020 submitted by K.S.Pathania and had held that the general body comprising Subhash Dutt and K.S.Pathania, and the governing council comprising of Subhash Dutt and K.S.Pathania besides other members had the mandate to carry on the activities of Aparna Ashram Society and thereafter, the governing council and the general body resolved to sell the land in question in favour of 4 companies and K.S.Pathania and Subhash Dutt were authorised to execute the sale deed. Thereafter, the sale deed was executed in favour of four companies in which Amit Katyal co-accused who has been released on bail was holding shares. He sold equity shares in favour of Dev Lal and Ramanuj later on, on 27.4.2021 and they became directors of the said company on 2.8.2021, meaning thereby, they were not party to the sale deeds and even were not directors or the share holders in the vendee companies which purchased land from Aparna Ashram Society. The case against the petitioners is, thus, based upon documentary evidence which have already been collected and even the sale deed dated 24.12.2020 has already been got cancelled by all the four companies and the land has reverted to Aparna Ashram Society. Besides this, one Laxman Chaudhary had also approached the police that he is the competent person to run the Society and not K.S.Pathania etc. However, the rival contentions of both the groups and whether vendors of the accused namely K.S.Pathania etc. had validly



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executed the sale deed or not, shall be moot question which can be decided only during trial. It is well settled that every accused is presumed to be innocent until proved guilty by the Court and the bail is the rule and jail is the exception. Personal liberty of the accused cannot be deprived of just for the sake of pre-trial incarceration. There is nothing on the file to show that the accused will abscond or tamper with the evidence as the case against the accused is based on documentary evidence and in these circumstances, the petitioners are entitled to be released on bail.

10. Without commenting anything on the merits of the case but in view of the contentions raised by the learned senior counsel as noticed above, all the three petitions are accepted and the petitioners are ordered to be released on regular bail subject to their furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**( YASHVIR SINGH RATHOR )**  
**JUDGE**

August 20, 2025

Paritosh Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No