

IA No. 5/26
Directorate of Enforcement Vs. Swaraj Singh Yadav

18.05.2026

This is an application u/s 483 of BNSS r/w Section 45 of PMLA, 2002 filed on behalf of applicant/accused Swaraj Singh Yadav for grant of regular bail in Ct. Case No. 73/2025, which is pending adjudication.

Present: Sh. Tushar Anand, Ld. Counsel for applicant/accused (through VC).

Numerous victims/home buyers in person (Attendance sheet is given, taken on record).

Sh. Simon Benjamin, Ld. SPP for ED along with IO/AD Ankit Kumar (both through VC).

1. Reply has been filed on behalf of ED. Copy supplied.
2. Ld. Counsel for applicant/accused seeks time to go through the reply filed on behalf of ED.
3. At this stage, victims have submitted that while they were waiting outside the court, an unknown person came and started making their video. When it was noticed and asked, the person revealed his name as 'Manoj' and stated that he is from the office of Ld. Counsel Sh. Tushar Anand and he has been instructed to make the video of the persons/victims opposing the present application, who are present in the court. The victims have also stated that they have clicked the photograph of the said person and have shown the same to the court in the mobile phone of one of the victims.
4. Let the photograph of the said Mr. Manoj, taken by the victims be filed on record during course of the day. Meanwhile, the Reader of the court is directed to get CCTV footage of relevant time preserved through the concerned branch.



5. At this stage, Ms. Archana, Secretary of Expressway Towers Gurugram Buyer Association has tendered her appearance and stated that numerous complaints have been received from the buyers/victims against the present applicant/accused Swaraj Singh Yadav of threatening them through his persons namely Sandeep Sardana and Hira Lal, who are influential people in the State of Rajasthan. Even, false FIRs have been got registered against her and the other members of the Expressway Towers Gurugram Buyer Association for extortion by these two persons claiming themselves to be the friends of accused Swaraj Singh Yadav. She wishes to file the copy of the said FIRs on record. She is at liberty to file the same.

6. At this stage, Sh. Subhash Sharma, one of the victims/home buyers has stated that he is a senior citizen and has been threatened to life by one person namely Ishu Poker, who is associate of accused Swaraj Singh Yadav and has stated to him that he has been to Tihar and he will not take a second in murdering him. Accordingly, he has got registered one NCR against the said Ishu Poker, wherein the said person has sought written apology admitting that he did so on instructions of accused Swaraj Singh Yadav. He is at liberty to file the said documents on record.

7. On query, the IO/AD Ankit Kumar has stated that he has received more than 10 complaints from the victims/home buyers of the present matter of threatening at the instance of accused Swaraj Singh .

has also been stated by the IO that even the prosecution witnesses are receiving calls on behalf of accused Swaraj Singh for resiling from their statements given to the ED and deposing in their favour.



8. At this stage, a sealed envelope has been handed over to the Court on behalf of ED. It is opened and IO has stated that it contains copy of the FIR registered against Ms. Archana, the Secretary of Association and other members. It has been submitted by the IO that he has summoned the complainant of the said FIR and he has given statement to him that he has got registered the present false FIR at the instance of accused Swaraj Singh Yadav. Be taken on record.

9. One of the victims namely Lt. Col. Naveen Kumar Hooda has joined the proceedings through VC and has stated that he is one of the allottee/home buyers/victim of one of the project in the present matter. He has also stated that he has been threatened over mobile phone and the caller has stated that he is calling on behalf of wife of accused Swaraj Singh Yadav namely Ms. Sunita and he has been advised to withdraw from the present matter and has been asked as to what he wants for his settlement, else the consequences would be very severe. He has also stated that two false FIRs have been registered against him at Kotputli, Rajasthan, though he has been on duty and presently posted in Arunachal Pradesh since for the last two years and never visited Kotputli, Rajasthan. He has further stated that accused belongs to family of lawyers who are very influential and since 2008, there have been complaints against accused Swaraj Singh Yadav in different states regarding cheating the innocent middle class people but no appropriate action has been taken by any of the authority.

10. Sh. Rajesh Maurya, brother of one of the allottee/victim has also submitted before the court that he is pursuing the matter and the accused Swaraj Singh Yadav and his associate target every person



who comes forward against him. He has submitted on the same lines as of Lt. Col. Naveen Kumar Hooda that there is syndicate going on by accused Swaraj Singh Yadav to cheat innocent people who invest their money in buying home for them and they are operating as a *mafia*.

11. At this stage, all the victims in person as well as through VC have taken name of Sh. Arun Yadav, who is stated to be the advocate of accused Swaraj Singh Yadav and stated that he is the one who is arranging goons/bouncers for threatening them; he is the one who still arranging the cash transaction between accused and new buyers despite the accused being in JC; and he has also given notice to the victims of defamation amounting to crores of rupees only to threaten and pressurize them. Sh. Arun Yadav is also stated to be the pivot wheel of the syndicate going on. The victims/home buyers have stated that they have already got threats from the goons who are being deployed by the accused Swaraj Singh at the site and are not allowing the buyers to visit the site. Even the victims are receiving numerous calls at large for selling their plots at the purchase price itself.

12. Even the IO has stated that as per the inquiry conducted by him so far against Sh. Arun Yadav, his role is not limited as of the legal counsel of the accused but far more than that. However, he has taken defence of the privileged communication before Hon'ble Supreme Court of India.

13. On query, Ld. SPP for ED has stated that they have the record of the complaints of threatening the victims and prosecution witnesses, however seek some time for taking concrete steps for their protection.



14. On query, the IO submits that there are more than 1000 home buyers who are victims in the present matter but complaints of threatening at the instance of accused is received only by 10-15 victims so far.

15. At this stage, Sh. Tushar Anand, Ld. Counsel for applicant/accused has admitted that his clerk namely Mr. Mahesh was present outside the court and he was curious to know as to who all are appearing. He has again stated that his clerk Mr. Mahesh was only taking pictures of the cause list pasted outside the court.

16. The concerned branch is directed to preserve the CCTV footage of the spot outside the court of the undersigned of the relevant time and submit the same to the Court in pendrive on or before the next date of hearing.

17. Since, during the course of hearing today, several victims/prosecution witnesses appeared before this Court and voiced serious apprehensions regarding persistent threats, intimidation and coercive tactics allegedly being employed by the accused and his associates with the manifest object of dissuading them from pursuing their grievances and from extending cooperation to the investigating agency and the judicial process, complaints regarding which have been affirmed by the IO, the court cannot remain as a silent spectator, more so when the allegations are of an exceeding serious nature.

18. Multiple victims have consistently projected a palpable and bonafide apprehension to their life and liberty, particularly, in the present matter involving allegations against persons stated to wield considerable influence and resources.



19. Any endeavor to terrorize, silence or overawe victims and witnesses strikes at the very heart of the administration of criminal justice. The sanctity of judicial proceedings cannot be permitted to be undermined by fear, intimidation or the spectre of retaliation. It is trite that the protection of victims and witnesses is an inseparable facet of the guarantee of life and personal liberty enshrined under Article 21 of the Constitution of India. Preservation of public confidence in the Criminal Justice System necessarily mandates that those assisting the process of law must feel secure under the protected umbrella of State.

20. Therefore, this court is of considered opinion that an immediate protective intervention is warranted in the interest of justice.

21. Accordingly, notice be issued to the DCP, New Delhi District with direction as follows:

i. To ensure that adequate preventive and protective measures are extended to the concerned victims/prosecution witnesses and their immediate family members, strictly in accordance with law;

ii. Maintain continuous vigil so as to obviate any onward incident or attempt and interference with the due course of justice;

iii. Nominate a responsible nodal officer, not below the rank of Inspector, for maintaining coordination with the victims/prosecution witnesses and for ensuring prompt response to any distress communication; and

iv. To ensure that no coercive, intimidating or retaliatory act prejudicial to the safety and security of the victims/prosecution witnesses is permitted to occur.



22. The aforesaid protective arrangements shall operate as an interim measure till such time as the Directorate of Enforcement undertakes appropriate witness/victim protection measures in accordance with law, or until further orders of this Court.

23. The concerned DCP shall file a detailed status report within three days delineating the steps taken pursuant to the present directions.

24. Let a copy of this order be transmitted forthwith to the concerned DCP and the Investigating Officer of Directorate of Enforcement for immediate information and necessary compliance.

25. Relisted for necessary compliances and arguments on the present application on **23.05.2026 at 12:30 pm.**

26. As prayed, copy of this order be given dasti to ED.



(Shefali Barnala Tandon)
ASJ-06/NDD/BHC/18.05.2026 (r)
SHEFALI BARNALA TANDON
Additional Sessions Judge-06
New Delhi District, Room No. 24
Patilaka House Courts, New Delhi