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**SUBHASH GUPTA
VS.
STATE OF HARYANA**

Present:- Mr. Dinesh Arora, Advocate with
Mr. Jatin Sehra, Advocate and
Mr. Ashish Khatkar, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

Mr. R.S.Dhull, Advocate for the complainant.

The petitioner has filed the present petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023/438 of Cr.P.C. with a prayer to grant anticipatory bail to him in case FIR No.127 dated 27.05.2026 registered under Sections 420, 120-B and 506 of IPC (corresponding Sections 318(4), 61 and 351(2) of BNS), at Police Station I.M.T., District Rohtak.

During the course of hearing on 05.08.2026, this Court had noticed that in the present case, every attempt had been made by the police to shield the real culprits, who had cheated a large number of innocent investors of crores of rupees. In fact, these days, it is not uncommon that the real estate developers collected crores of rupees from innocent public by showing them a rosy picture of offering accommodation on time to them, but later on, such purchasers are neither provided the accommodation nor the money invested by them is returned. Apart from that, even such real estate developers/promoters are well aware of the fact that it was not

possible to complete the project in accordance with the representations made by them to such investors, and the amount of crores of rupees invested by these innocent buyers is siphoned off. Apart from that, the conduct of such developers demonstrates a repeated pattern of fraudulent transactions. Even such systematic frauds are projected as isolated disputes arising out of contractual relationship, but when the Courts examine such disputes, it is found that such disputes form part of larger conspiracy to cheat the innocent buyers of their earning of whole life. Even, the Hon'ble Supreme Court as well as this Court have repeatedly expressed their displeasure over the manner in which investigations are conducted for the benefit of builders/developers, who are involved in large-scale economic frauds affecting numerous investors. Even, this Court has perused the file of the IO and had directed the Inspector General of Police to examine the investigation himself and to take strict action against the accused in the present case. But, apparently, the IO of the present case was trying to help the accused, who are directors of M/s DHL Infratech Private Limited and M/s Gupta Property Developers, Shivji. Even, after passing of various orders by this Court, the investigation was not conducted properly.

Today, during the course of hearing, this Court has been informed that the investigation in the present case is being conducted by a 'SIT', which is headed by Mr. Gaurav Rajpurohit, the Superintendent of Police, Rohtak. During the course of hearing, the Court has been informed that Kuldeep Kumar Tahlan, the Director of

M/s DHL Infratech Private Limited and Gurvinder Jeet Singh, an employee of M/s Gupta Property Developers, Shivji, were arrested. Surprisingly, the bail petition of Kuldeep Singh Tahlan has been allowed, whereas the bail petition filed by Gurvinder Jeet Singh, who was an employee of M/s Gupta Property Developers, Shivji, has been ordered to be dismissed by the Courts at Rohtak.

Apart from that, it has also been brought to the notice of the Court that the co-accused, namely, Ravinder Mor, Manjit Kumar and Joginder Singh, all directors of M/s DHL Infratech Private Limited and Siddhant, authorized signatory of the M/s DHL Infratech Private Limited, have been granted the concession of *interim* anticipatory bail by the same presiding officer, who had dismissed the bail petition filed by the present petitioner. Even, the Court has been informed that these four accused were involved in other scams as well. Apart from that, one more fact which needs to be highlighted by this Court is that even Subhash Gupta, who was a partner of M/s Gupta Property Developers, Shivji, has not been even granted the concession of *interim* anticipatory bail by this Court so far. Rather, his arrest was stayed on his assurance that he would return the whole amount invested by such victims, who have not been offered the possession by the accused in the present case along with interest @ 6% per annum. On getting such assurance only, this Court had stayed the arrest of Subhash Gupta. Apart from that, certain other facts have also been brought to the notice of this Court during the course of arguments, and it would not be appropriate to highlight the said facts

in a judicial order. However, the judicial officers posted at Sessions Division, Rohtak, are restrained from entertaining any bail applications in the present case. Even, from the status report filed by the State of Haryana, it is apparent that the police officials posted at Rohtak are hesitating in taking action against real estate promoters/developers, and even after four months of registration of the FIR, no action has been taken against them.

Consequently, the State of Haryana is expected to appoint a senior IPS officer to investigate such a large-scale scam and to submit a status report of investigation on or before the next date of hearing.

The registry of this court is directed to send a copy of this order to the learned District and Sessions Judge Rohtak immediately for strict compliance.

Adjourned to 28.10.2026.

30.09.2026
amit rana

(N.S.SHEKHAWAT)
JUDGE