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

+ CRL.M.C. 2199/2026

MR. NINAD KARPE

.....Petitioner

Through: Mr. Akshay Sapre, Mr. Abhijeet Swaroop, Mr. Manu Raj Pillai and Mr. Akshat Kumar, Advocates.

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sunil Kumar Gautam, APP for the State with SI Sachin Rathee.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **25.03.2026**

CRL.M.A. 9036/2026 (Exemption)

Exemption allowed, subject to all just exceptions.

CRL.M.C. 2199/2026 & CRL.M.A. 9035/2026 (stay)

1. One Mr. Madhav Pratap Singh Rana (complainant herein) took admission in *Avalon Aviation Academy Private Limited* for a course in *Airport Management and Customer Care* in the year 2008. The course fee was Rs.1,56,154/- and he was assured 100% placement guarantee in reputed Airlines.

2. According to him, he had been cheated with the allurements that there would be 100% job guarantee and once trapped, no examinations were conducted as the Institute in question was not having any affiliation with *Karnataka State Open University* or for that matter with any other University. The abovesaid Institute used to provide certificates/diplomas,

CRL.M.C. 2199/2026

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without mentioning the bare details with respect to the address of the Academy and it was in the abovesaid background that he filed a complaint against eight accused persons.

3. In such complaint, the petitioner herein i.e. Mr. Ninad Karpe is shown as MD/Owner of *Avalon Aviation Academy Private Limited*.

4. As per learned counsel for petitioner, Mr. Ninad Karpe has nothing to do with the abovesaid *Avalon Aviation Academy Private Limited* and it has been wrongly projected that he is Managing Director of such company. He submits that the abovesaid Academy was being run by Ms. Priti Aggarwal and Mr. Puneet Thukral and the petitioner herein has nothing to do either with *Avalon Aviation Academy Private Limited* or for that matter with *Excel India Academy* and that he was, merely, involved with the affairs of *Aptech Limited* which is parent company of *Avalon Aviation Academy Private Limited*.

5. He also contends that the matter is, purely, civil in nature and no criminality is found involved and when a complaint was filed by the same complainant before *the Consumer Dispute Redressal Forum, Shalimar Bagh, Delhi*, such complaint was also dismissed. In any case, since the petitioner has no connection with the Academy in question, he could not have been summoned.

6. It is also argued that once a closure report had been filed and accepted by the learned Trial Court on 25.02.2012, the matter could not have been re-opened by the same Court. He submits that though a Protest Petition was filed by the complainant but fact remains that no evidence was led and even when the abovesaid Protest Petition was filed by the complainant, he, merely, prayed that such cancellation report be rejected and the police be



directed to re-investigate the matter. Therefore, according to him, since there was no incriminating material on record and since no fresh evidence was led by the complainant, the accused could not have been summoned merely because of the fact that some disciplinary action had been recommended against the previous I.O.

7. Fact remains that when the alleged main accused i.e. Preeti Aggarwal and Puneet Thukral prayed for bail, bail was granted to them, way back in year 2011.

8. When bail application of accused Preeti Aggarwal was taken up on 26.04.2011, learned Court of Sessions noted as under:-

“IO has pointed out that total liability of the accused persons towards victim students who have approached the investigating agency is about Rs.21 lakhs as on today and the applicant/accused have deposited/paid Rs.36,63,953/-. It is stated that co-accused was granted bail after 21 students were paid Rs.25,000/- each amounting to Rs.5,25,000/-. The balance amount is still in the malkhana of the police station. It is stated by the IO that as on today 69 students have approached the investigating agency and there may approach some more students/victim in the days to come.

The complainant present has stated that he has compromised with the accused persons.

On behalf of accused persons it is stated that accused persons have voluntarily offered the request that the amount deposited in the malkhana be refunded to the victim/students as per the liability of 50% of the fee which was refundable to the victim students”

(emphasis supplied)

9. While issuing several directions including directing of opening of account with State Bank of India, learned Court of Sessions granted anticipatory bail to accused Preeti Aggarwal.

10. The other co-accused Puneet Thukral was also granted regular bail on 15.01.2011.



11. Importantly, a closure report was filed by the prosecution for the reason that matter had been compromised by the complainant. However, matter was revived by learned Trial Court as Protest Petition was filed by the complainant. It was allowed, primarily, for the reason that the complainant contended that he had not received any amount from the accused and that there was no settlement with him and also for the reason that aspect of compounding could have been recorded only after charge-sheet had been filed.

12. Such summoning order is under challenge.

13. Learned APP for the State/respondent No.1 accepts notice and seeks time to file a comprehensive report. It be also specified in the report as to what is the current status of the deposited amount, with full details of disbursement made so far.

14. Issue notice to respondent No.2 through all permissible modes.

15. List on 25.05.2026.

16. Keeping in mind the peculiar facts of the case, petitioner would be exempted from personal appearance before the learned Trial Court till next date of hearing.

MANOJ JAIN, J

MARCH 25, 2026/ss/dr/js