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

+ **W.P.(CRL) 2488/2025 & CRL.M.A. 23501/2025**

BHUPINDER SINGH

.....Petitioner

Through: Mr.Kunal Bahri and Mr.Kailash
Babu, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr.Amol Sinha, ASC for the State
with Mr.Kshitiz Garg, Mr.Ashivini
Kumar, Ms.Chavi Lazarus, Mr.Nitish
Dhawan and Ms.Sanskriti Nimbedkar,
Advocates alongwith SI Vikas Malik,
P.S.- EOW

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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12.08.2025

1. *Inter alia*, learned counsel for the petitioner contends that an outright civil dispute between loanee and loaner (respondent No.2/complainant-Mahindra & Mahindra) is being given a colour of criminal culpability. He would further submit that petitioner is neither a loanee nor otherwise the beneficiary of the alleged loan which is purported to have been advanced by the complainant-Mahindra & Mahindra.
2. On a mere allegation that he stood as guarantor, he has been made an accused in the criminal proceedings. The same are though disguised as criminal, but otherwise it is nothing else but an attempt to recover the loan,



otherwise recoverable through appropriate civil proceedings before the DRT, which too have been initiated.

3. He would further submit that the criminal proceedings instituted by the complainant-Mahindra & Mahindra are in complete abuse of process of law and the State is also acting at their behest without there being any public interest or societal interest involved in the matter.

4. He further points out that, in any case, no criminality is made out against the petitioner, who is currently a resident of California, USA. At no point was he present in India, during the alleged loan transaction or otherwise instrumental, in any manner, in facilitating the disbursement of the loan from the Mahindra & Mahindra the complainant herein.

5. He would further submit that as per his instructions, the actual loan was never remitted to the loanee also.

6. Issue notice. Notice is accepted by learned ASC for the State.

7. On filing PF within a week, issue notice to the respondent No.2-complainant through all permissible modes, returnable on 27.11.2025.

8. In the meanwhile, further proceedings *qua* the petitioner in the FIR in question shall remain stayed.

ARUN MONGA, J

AUGUST 12, 2025

Nk/dy