

**CRM-M-48019-2024****1****IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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Date of decision: September 17th, 2025

Gulshan Babbar

.....Petitioner

Versus

Lalit Goyal and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent: Mr. Pardeep Solath, Advocate
for the petitioner.Mr. Vinod Ghai, Senior Advocate
and Ms. G.K. Mann, Senior Advocate
with Mr. Arshdeep Singh Khurana, Mr. Gurmohan Singh Bedi,
Mr. Pawandeep Singh
and Mr. Anand Vardhan Khanna, Advocates
for respondent No.1.Mr. S.V. Raju, Additional Solicitor General of India
and Mr. Zoheb Hossain, Special Counsel (both through VC),
Mr. Lokesh Narang, Senior Panel Counsel
and Ms. Meghna Malik, Senior Panel Counsel (through VC)
respondent No.2-ED.**MANJARI NEHRU KAUL, J.**

The instant petition has been filed under Section 483(3) of The Bharatiya Nagarik Suraksha Sanhita, 2023 (BNNS) by the petitioner seeking cancellation of the bail granted to respondent No.1, the Managing Director of the IREO Group in FIR No.38 dated 11.02.2020 under Sections 406, 420, 467, 468, 471 of the IPC registered at Police Station Pinjore, Panchkula, vide order dated 08.04.2022 (Annexure P-3).

2. Learned counsel for the petitioner submits that on the last date of hearing, presence of Mr. Lakshay Goel and Ms. Sunidhi Jain, Advocates, has been wrongly marked even though they are in no manner connected with



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the instant petition.

3. In view of the above, presence of counsel for the petitioner in the order dated 09.09.2025 be read as: *‘Mr. Pardeep Solath, Advocate, for the petitioner’*.

4. Learned counsel for the petitioner contends that respondent No.1 has abused the concession of bail by disposing of valuable assets of the IREO Group in contravention of the restraint imposed by this Court that no property be alienated. It is alleged that large parcels of land were sold to Oberoi Realty Limited and DLF Home Developers Limited for consideration running into hundreds of crores of rupees.

5. It is further urged that a share transfer, antedated and purportedly in favour of the mother of respondent No.1 and valued at nearly ₹10,000 crores was uploaded belatedly on the MCA website, suggesting a deliberate attempt to circumvent the order of this Court; as per the petitioner, such conduct displays scant regard for the majesty of law.

6. The petitioner, styling himself as a practicing Advocate and a prospective home buyer, submits that inaction on the part of the Enforcement Directorate (ED) has constrained him to invoke the extraordinary jurisdiction of this Court in the larger public interest.

7. When specifically queried by the Court whether he was the complainant in the scheduled offences or a directly aggrieved victim, the learned counsel candidly answered in the negative. The petitioner's case rests instead on his claim that any citizen may approach the Court to point out abuse of process.

8. *Per contra*, learned senior counsels for respondent No.1 have



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raised a preliminary objection to the maintainability of the petition on the ground of lack of *locus standi*. It has been contended that the petitioner is neither a victim, nor an investor, nor an allottee in any project of the IREO Group.

9. Reference has also been made to Annexure R-1/1, showing that even before the Hon'ble Delhi High Court, the ED had objected to the *locus* of the present petitioner. Further reliance has been placed on Annexure R-1/2, being the inquiry report of the Delhi Police, recording that the petitioner was neither a victim nor an investor, and that his complaint was an afterthought to exert pressure. Likewise, attention has also been drawn to Annexure R-1/4, being the report of the Gurugram Police (EOW), which also concluded that there was no cause to proceed on the allegations levelled by the petitioner.

10. Learned senior counsels have further relied on the common judgment of Hon'ble Delhi High Court dated 02.07.2025 (Annexure R-1/11), whereby multiple petitions filed by the petitioner were dismissed with exemplary costs, the Court having found that he had concealed material facts, misrepresented his status, and lacked *bona fides*. It has been pointed out that the Bar Council of India, vide order dated 07.08.2025 (Annexure R-1/13), directed removal of the name of the petitioner from the Roll of Advocates on account of deliberate concealment of criminal antecedents and irresponsible, defamatory conduct.

11. On merits, it has been contended that the allegations of misuse are wholly unfounded. The bail order, as modified by the Hon'ble Supreme Court on 18.05.2022 in SLP (Criminal) Diary No.12164 of 2022, imposed



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only one surviving condition, namely, that respondent No.1 mark his weekly presence before the Investigating Officer of the ED. It has been submitted that this condition has been duly complied with. Respondent No.1 has not attempted to abscond, tamper with evidence, or intimidate witnesses. The alleged transactions of sales of land and transfers of shares, even if assumed to have occurred, pertain to corporate and regulatory matters, and cannot be construed as violations of any conditions of bail absent express prohibition or demonstrable prejudice to investigation.

12. Learned Additional Solicitor General of India along with Special Counsel for ED was queried whether the Directorate itself has sought cancellation of bail. No such steps could be pointed out.

13. On behalf of the ED, by drawing the attention of this Court to the reply dated 13.11.2024, it was submitted that the petitioner has indeed filed multiple petitions before different fora alleging inaction on the part of the Directorate, but in none of those proceedings has any order favorable to the petitioner been passed. While submitting, without prejudice, that “no prejudice would be caused” if bail were cancelled, learned senior counsel for the ED were unable to point out any instance of violation of bail conditions or misuse of liberty by respondent No.1.

14. I have heard learned counsel for the parties and perused the relevant material on record.

15. The primary issue for consideration is whether this petition is maintainable at the instance of the petitioner, who admittedly is neither a complainant nor an aggrieved person in the criminal proceedings against respondent No.1.



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16. The position of law on this issue is well-settled. In *Sanjai Tiwari Versus The State of Uttar Pradesh and another 2021(5) SCC 660*, the Hon'ble Supreme Court while placing reliance upon *Janata Dal Versus H.S. Chowdhary and others, (1993) 1 SCC 756* held that: *“it is for the parties in the criminal case to raise all the questions and challenge the proceedings initiated against them at appropriate time before the proper forum and not for third parties under the garb of Public Interest Litigants.”*

17. Thus, only a person who is directly affected and who can establish a real grievance is entitled to seek cancellation of bail. A stranger with no direct prejudice cannot clothe himself with the status of an “aggrieved party” and invoke the jurisdiction of this Court.

18. Even otherwise, cancellation of bail stands on a different footing from the grant of bail. Once liberty has been secured by a judicial order, it can be recalled only upon strict proof of misuse, such as tampering with evidence, intimidating witnesses, or obstructing the course of justice. Mere allegations of financial transactions, however serious, do not justify cancellation of bail unless they constitute a violation of bail conditions or demonstrably prejudice the investigation.

19. In the present case, no such circumstance is shown. The sole surviving condition of bail, as modified by the Hon'ble Supreme Court, required respondent No.1 to mark weekly presence before the ED, which has been duly complied with. The ED itself has not sought cancellation and has been unable to identify any supervening circumstance or fresh material post-grant of bail to warrant such relief.



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20. It also needs to be noted that the stand of the ED that “no prejudice would be caused” if bail were cancelled is an evasive formulation, for the true test is not whether cancellation would inconvenience the agency, but whether there is tangible misuse of liberty. No such misuse has been established here.

21. That apart, the *bona fides* of the petitioner stand seriously undermined. Multiple fora, including the Delhi Police, Gurugram Police, and the Hon’ble Delhi High Court, have found him lacking *locus* and credibility. His petitions have been dismissed with costs, and the Bar Council of India has directed removal of his name from the Roll of Advocates. He, therefore, cannot now seek to revive the same cause under the garb of public interest.

22. For the foregoing reasons, this Court has no hesitation to hold that the present petition is not maintainable. Even on merits, no ground for cancellation of bail is made out.

23. Accordingly, the petition stands dismissed

September 17th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : Yes