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FROM THE EDITOR'S DESK

Dear Readers,

The criminal justice system in India is presently witnessing an important transition—one that requires courts, investigators, litigants and practitioners to balance effective law enforcement with constitutional safeguards, procedural fairness and technological realities.

This issue of The Crime Times brings together recent judicial developments which reflect that balance. The courts have once again emphasised that criminal procedure cannot remain rigid or mechanical. In the digital age, access to justice cannot be denied merely because an accused's physical address is unknown, particularly where electronic identifiers may provide a meaningful basis for investigation. At the same time, investigative powers such as freezing of bank accounts, though necessary in appropriate cases, must be exercised with restraint, proportionality and judicial oversight, given their serious impact on business, livelihood and financial liberty.

The issue also highlights the continuing judicial insistence that arrest must not be treated as a routine step in investigation. The Supreme Court's reaffirmation that notice under Section 35(3) of the BNSS is the rule, and arrest the exception for offences punishable up to seven years, strengthens the constitutional commitment to personal liberty. Equally significant is the clarification that a discharged accused stands on a higher footing than an acquitted accused, as discharge itself reflects the absence of sufficient material to proceed to trial.

Finally, the Delhi High Court's ruling on substantial cash payments reiterates a fundamental principle: criminal law cannot be set in motion on vague allegations, oral assertions or unsupported claims. Where serious allegations are made, especially in financial and property transactions, they must rest on cogent, credible and contemporaneous evidence.

Taken together, these developments underline a clear judicial message: criminal law must remain effective, but never arbitrary; flexible enough to meet modern forms of crime, but firmly anchored in due process.

We hope this issue proves useful to our readers in understanding the evolving contours of criminal jurisprudence in India. As always, we welcome your feedback and suggestions.

With Regards,

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ABSENCE OF ACCUSED'S POSTAL ADDRESS IS NOT A GROUND TO REJECT CYBER CRIME COMPLAINT

In **Anagh v. State of Kerala & Ors.**, 2026:KER:16819, the Kerala High Court set aside an order of the Magistrate returning a private complaint solely on the ground that the complainant had not furnished the postal address of the accused.

The case arose from a private complaint filed by the petitioner alleging that the accused had circulated defamatory and malicious content against him through various social media platforms and messaging services. The complaint invoked Sections 356(2), 351, 61 and 77 of the Bharatiya Nyaya Sanhita, 2023 as well as Section 66 of the Information Technology Act, 2000. While the complainant had disclosed several electronic identifiers of the accused, including phone numbers and social media handles, the Judicial First Class Magistrate returned the complaint on the sole ground that the postal address of the accused had not been provided.

Aggrieved by the said order, the petitioner approached the High Court contending that in cases involving cyber offences, victims often possess only digital identifiers of the offender, such as phone numbers, email IDs or social media accounts, and insisting on a physical address at the threshold stage would make prosecution of cyber offences virtually impossible.

The High Court examined the statutory framework governing private complaints and noted that the definition of a "complaint" under the Bharatiya Nagarik Suraksha Sanhita, 2023 does not require disclosure of the postal address of the accused as a condition precedent for entertaining the complaint. The Court observed that the law itself recognises that allegations may be made against persons who may be known or even unknown at the stage of initiation of proceedings.

The Court also noted that modern criminal procedure increasingly recognises electronic modes of communication and service. In the context of cyber offences, offenders frequently operate under pseudonymous identities and victims may only have access to digital footprints. In such circumstances, the insistence on a physical address at the stage of filing a complaint would defeat access to justice and enable offenders to evade the law through anonymity.

While dealing with the Magistrate's reasoning, the Court emphasised that procedural requirements cannot be interpreted in a manner that frustrates substantive justice, observing:

"To return a complaint solely for want of a postal address is to subordinate substantive justice to procedural rigidity."

The Court further highlighted that the statutory framework governing intermediaries under the

Information Technology Act obligates service providers to preserve and disclose user information when required by law, thereby enabling investigative authorities to trace offenders operating through concealed digital identities. Although the Court noted that such disclosure mechanisms may not automatically apply in defamation cases initiated through private complaints without police investigation or executive authorisation, it clarified that the Court nonetheless possesses powers under Section 94 of the Bharatiya Nagarik Suraksha Sanhita to direct any person, including intermediaries, to produce documents or information necessary for the proceedings.

The Court also made significant observations on the changing nature of crime in the digital era. It noted that offences such as cyberbullying, online impersonation, digital stalking, identity theft and social media defamation have become increasingly rampant. In many such cases, offenders operate through fake or anonymous digital identities, and the complainant may only possess electronic identifiers of the accused. The postal address of the offender often becomes ascertainable only through technical investigation.

In such circumstances, the Court observed that insisting on disclosure of a postal address at the threshold stage would deny access to justice, render victims remediless, encourage deliberate anonymity and frustrate effective criminal law enforcement. The Court emphasised that until specific regulations or standard operating procedures are formulated to address such situations, the criminal justice system cannot remain anchored in procedural formalism that is unsuited to the technological realities of the digital age.

Significantly, the Court observed that the absence of a postal address cannot become a ground for judicial helplessness. Where a complaint discloses the commission of an offence, the law already recognises that proceedings can be initiated even against unknown persons. Therefore, it would be incongruous to insist upon disclosure of a postal address as a jurisdictional prerequisite for private complaints, particularly when the law itself permits registration of criminal cases against unidentified offenders.

In this backdrop, the Court held that the Magistrate erred in returning the complaint at the threshold stage. Instead, once a complaint discloses the commission of an offence, the Magistrate may proceed in accordance with law, including issuing process through the disclosed electronic communication details and directing appropriate investigation to ascertain the identity and location of the accused.

Accordingly, the High Court set aside the order returning the complaint and directed the Magistrate to accept the complaint on file and proceed in accordance with law, including issuance of process through the available electronic communication details. The Court further directed the Registrar (District Judiciary) to place the matter before the competent authority of the High Court to examine whether suitable amendments to the Criminal Rules of Practice may be required to effectively deal with complaints relating to cyber offences.

FREEZING OF BANK ACCOUNTS BY POLICE UNDER THE CODE OF CRIMINAL PROCEDURE, 1973/ BHARATIYA NAGARIK SURAKSHA SANHITA, 2023: POWER, PARAMETERS AND REMEDIES

Freezing of bank accounts has emerged as one of the most frequently invoked investigative measures, particularly in cases involving cyber fraud, financial misappropriation and economic offences. While the stated objective is the preservation of suspected proceeds of crime, the practical consequences are immediate and far-reaching, crippling day-to-day operations, paralyzing business activity, preventing payment of statutory dues and essential expenses, disrupting digital transactions, and in many cases, seriously impairing livelihood.

The power to freeze bank accounts was historically exercised under **Section 102 of the Code of Criminal Procedure, 1973 ("CrPC")**, and now finds place in **Section 106 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS")**, subject to the scheme of Section 107 BNSS.

I. Statutory Power under Section 102 CrPC/ 106 BNSS

Section 102(1) CrPC/ 106(1) BNSS empowers a police officer to:

"seize any property which may be alleged or suspected to have been stolen, or which may be found under circumstances which create suspicion of the commission of any offence."

Section 102(3) / 106(3) BNSS mandates:

"Every police officer acting under sub-section (1) shall forthwith report the seizure to the Magistrate having jurisdiction..."

The provision did not expressly mention bank accounts, which led to interpretational challenges.

II. Whether Bank Accounts Fall Within "Any Property"

The issue was conclusively settled by the Supreme Court in **State of Maharashtra v. Tapas D. Neogy**, (1999) 7 SCC 685.

While considering whether 'bank accounts' fall within the scope of Section 102 CrPC, the Court held that even bank accounts fall within the phrase "any property" and could therefore be frozen by investigating authorities, if found to have direct links with the commission of an offence.

The Supreme Court clarified that the property must have a connection with the commission of a crime. For the purpose of Section 102 CrPC, the property must be either:

a. Alleged or suspected to have been stolen; or
b. Have a nexus between the property and the commission of the crime.

Therefore, investigating authorities can only freeze bank accounts if the deposit in the account is stolen money or the account is connected with an alleged offence under investigation. This judgment remains the foundational authority legitimising freezing of bank accounts in criminal investigations.

III. Mandatory Reporting to Magistrate

Section 102(3) CrPC/ 106(3) BNSS mandates that seizure must be reported "forthwith" to the Magistrate.

The scope and consequence of non-reporting were examined by the Supreme Court in **Shento Varghese v. Julfikar Husen**, 2024 INSC 407/ MANU/SC/0423/2024

The Court considered:

I. What is the implication of non-reporting of seizure forthwith to the jurisdictional Magistrate under Section 102(3) CrPC?
II. Whether delayed reporting vitiates the seizure altogether?

In that case, although a seizure report was submitted to the Magistrate, it was not done immediately. The High Court set aside the freezing on the ground of delay. On appeal, the Supreme Court clarified that the term "forthwith" must be interpreted as "as soon as reasonably possible," recognising that procedural compliance must be prompt but allowing reasonable flexibility depending on circumstances.

The Court held that unless a strict timeframe is prescribed, actions must be completed within a reasonable period without rigid formulae. Therefore, delayed submission of the seizure report did not automatically vitiate the freezing order.

IV. Limits on Blanket Freezing: The Principle of Proportionality

A recurring judicial concern has been indiscriminate freezing of entire bank accounts, particularly in cybercrime cases where merchants or intermediaries receive funds unknowingly.

In **Dr. Sajeer v. Reserve Bank of India**, MANU/KE/3854/2023, the Kerala High Court addressed blanket freezing of bank accounts during cybercrime investigations and held that the freezing must be proportionate and confined only to the specific amounts indicated in police requisitions.

In **Mohammed Saifullah v. RBI**, MANU/TN/5406/2024, the Madras High Court while setting aside the indiscriminate freezing of the entire account balance, held as under:

"Under the guise of investigation, order freezing the entire account without quantifying the amount and period cannot be passed. Such order will be construed as violation of the fundamental rights of trade and business as well as violation of livelihood."

Time and again, the Courts have reiterated the doctrine of proportionality, emphasizing that any restraint must be confined to the specific amount allegedly involved in the offence and not extend to freezing the entire account balance. This calibrated approach preserves the interests of investigation while simultaneously safeguarding the legitimate business operations and livelihood of the account holder.

V. Remedies Available to the Aggrieved Person

A. Representation before Investigating Officer

An account holder can make a representation before the Investigating officer who has given instructions for freezing of bank account and may submit material demonstrating absence of nexus or explaining the transaction trail.

If satisfied, the Investigating Officer has the power to issue instructions for de-freezing of the bank account.

B. Application before Magistrate

An account holder can also file an application before the jurisdictional Magistrate under Sections 451 & 457 CrPC / 497 & 503 BNSS for releasing of the bank account.

In appropriate cases, courts can permit:

- Complete de-freezing;
- Partial operation;
- Withdrawal subject to bond; and
- Restriction limited to disputed amount.

Such jurisdiction acts as a safeguard against arbitrary executive action.

C. Writ Jurisdiction of High Court

Where freezing is patently illegal, disproportionate, or violative of statutory mandate, Writ jurisdiction under Article 226 of the Constitution of India can also be invoked for setting aside the freezing order.

High Courts have consistently intervened where:

- There is absence of nexus;
- Mandatory reporting requirements are violated;
- Freeze is mechanical or indefinite;
- Entire accounts are frozen despite limited suspicion.

VI. Principles enumerated by Allahabad High Court

In **Khalsa Medical Store v. Reserve Bank of India**, 2026 AHC LKO 3701 (DB), the Division Bench of the Allahabad High Court perused various judgments relating to freezing of a bank account under a suspicion of cybercrime and enumerated the following principles:

A. Reasonable Belief, Not Mere Suspicion

Section 106 of the BNSS cannot be interpreted as conferring unfettered authority upon police officers to intervene in monetary disputes or commercial transactions merely on the basis of suspicion. The exercise of power must be supported by reasonable belief.

B. Immediate and Proper Intimation to the Bank / Payment System Operator

Where freezing or marking of lien is considered necessary, the Investigating Officer must immediately communicate the request to the Nodal Officer of the concerned bank or beneficiary bank, or to the relevant Payment System Operator (PSO), including a payment aggregator.

Such communication must:

- Clearly set out the particulars of the alleged offence; and
- Be accompanied by a copy of the FIR or the complaint forming the basis of action.

A bank or PSO is within its rights to decline any freezing request that is unsupported by a copy of the FIR or formal complaint.

C. No Blanket Freezing: Lien Must Be Confined to the Specific Alleged Amount

A notice under Section 106 BNSS, if issued, may require marking of a lien only on the specific amount allegedly transferred from or to the concerned account.

Under no circumstances can the police direct or request a bank or PSO to block, suspend, or freeze the entire financial account when suspicion pertains only to a defined quantum. Blanket freezing is impermissible and violative of proportionality.

D. Simultaneous Intimation to Jurisdictional Magistrate Within 24 Hours

Once information seeking blocking, holding, or marking of lien is forwarded to a bank or financial intermediary (including a PSO), the same must simultaneously be forwarded to the jurisdictional Judicial Magistrate within 24 hours.

Failure to inform the Magistrate within this timeframe may render such action as void.

E. Liability of Banks for Non-Compliant Freezing

If a bank freezes or places a hold on a bank account or escrow account at the mere request of the police, without ensuring compliance with statutory procedure and safeguards, the bank may incur personal civil and criminal liability.

Such liability may extend to compensation for financial loss, business disruption, and reputational damage suffered by the affected entity or individual.

VII. Interplay between Sections 106 and 107 of BNSS

A significant clarification under the BNSS regime was rendered in **Malabar Gold & Diamonds Ltd. v. Union of India**, W.P.(C) 4198/2025. While setting aside the impugned freezing order, the Hon'ble Court undertook a detailed examination of the distinction between Sections 106 and 107 of the BNSS and held:

"Thus, it is fairly trite now that Section 106 of the BNSS empowers the police only to seize property for evidentiary purposes and does not confer any authority to attach or debit-freeze bank accounts. Attachment or freezing of bank accounts, being measures directed at securing alleged proceeds of crime, can be undertaken only under Section 107 of the BNSS and strictly upon orders of a competent Magistrate, after following the prescribed procedural safeguards."

The Court further held that any blanket or disproportionate freezing of bank accounts, particularly where the account holder is neither an accused nor even a suspect in the offence under investigation, is manifestly arbitrary, and in the teeth of the fundamental rights under Article 19(1)(g) and 21 and of the Constitution of India.

The ruling, therefore, crystallises the legal position as follows:

- Section 106 BNSS is confined to seizure for evidentiary purposes.
- Attachment or debit-freezing intended to secure alleged proceeds of crime must be undertaken under Section 107 BNSS.

In effect, the judgment removes unilateral executive discretion in matters of freezing bank accounts and subjects such action to prior judicial scrutiny.

VIII. Conclusion

Freezing of bank accounts is a powerful investigative tool designed to preserve suspected proceeds of crime and prevent dissipation of funds. However, its impact on trade, livelihood and digital financial systems is profound.

Judicial jurisprudence now firmly establishes that:

- There must be a clear nexus between the account and the offence.
- Suspicion must be founded on material.
- Reporting to the Magistrate must be prompt, though reasonable flexibility exists.
- Freezing must be proportionate and confined to suspected amounts.
- Mechanical and blanket freezing is impermissible.
- Under the BNSS, any attachment or debit-freezing of a bank account intended to secure alleged proceeds of crime must strictly conform to Section 107 and can be effected only pursuant to an order of a competent Court, in compliance with the prescribed judicial safeguards.

The evolving jurisprudence reflects a careful balance enabling effective investigation while safeguarding economic liberty and procedural fairness.

SECTION 35(3) BNSS NOTICE IS THE RULE, ARREST AN EXCEPTION FOR OFFENCES UP TO 7 YEARS: SUPREME COURT

In **Satender Kumar Antil v. Central Bureau of Investigation**, 2026 INSC 115, the Supreme Court of India has reiterated and strengthened the safeguards governing arrest under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), holding that issuance of notice under Section 35(3) of the BNSS is the rule in cases involving offences punishable with imprisonment of up to seven years.

The Court examined whether police officers are mandatorily required to issue a notice of appearance under Section 35(3) of the BNSS before proceeding to arrest an accused in such cases.

Answering the issue, the Court held in clear terms that for offences punishable with imprisonment of up to seven years, **issuance of notice under Section 35(3) is not discretionary but constitutes the default rule, while arrest is an exception**. The provision mandates that the police officer issue a notice directing the accused to appear and cooperate with the investigation where arrest is not immediately necessary. The Court emphasised that this requirement is a vital safeguard against arbitrary deprivation of personal liberty.

Interpreting the scheme of Section 35, the Court noted that the use of the expression **"may" in Section 35(1) of the BNSS makes it clear that the power to arrest is discretionary and not mandatory**. However, such discretion is not unfettered and must be exercised strictly in accordance with the statutory conditions. In particular, the mandate of Section 35(1)(b)(i) of the BNSS, read with any one of the conditions under Section 35(1)(b)(ii) of the BNSS, must be satisfied namely, the existence of a "reason to believe" that the person has committed the offence, coupled with the necessity of arrest for purposes such as proper investigation or preventing tampering with evidence. Once such satisfaction is reached, the police officer is duty bound to record reasons for arrest in writing.

The Court underscored that these conditions are not mere formalities, observing that:

"To attract the power of arrest... the conditions mentioned thereunder ought to be complied with scrupulously."

It further clarified that even where such conditions are met, arrest does not follow as a matter of course. The police officer must independently assess whether custody is absolutely necessary for the investigation. The power of arrest, the Court cautioned, must be exercised only as a matter of strict objective necessity, and not as a tool of convenience.

Significantly, the Court held that:

"A notice under Section 35(3)... is the rule,"

and that even where circumstances for arrest may exist,

"the arrest shall not be undertaken, unless it is absolutely warranted."

The Court also emphasised that arrest cannot be resorted to merely for the purpose of questioning.

Further, the Court clarified that even after issuance of notice under Section 35(3) of the BNSS, the power to arrest under Section 35(6) of the BNSS is not automatic. **Even in cases of non-compliance with the notice or failure to identify oneself, arrest is not to be treated as a matter of course**. Such power must be exercised sparingly, with due application of mind. Importantly, the Court observed that any arrest under Section 35(6) of the BNSS must be founded on fresh material or circumstances which were not available at the time of issuance of notice under Section 35(3) of the BNSS.

The judgment thus harmonises the statutory framework with constitutional principles of personal liberty, making it clear that procedural safeguards under the BNSS are substantive in nature and require strict compliance. It reinforces that **notice, not arrest, is the starting point of investigation** in offences punishable up to seven years, and any departure from this principle must be supported by clear, recorded, and legally sustainable reasons. **The power to arrest remains an exception, and the police officer is expected to be circumspect and slow in exercising it.**

DISCHARGED ACCUSED STANDS ON A HIGHER FOOTING THAN ACQUITTED ACCUSED: SUPREME COURT

In ***Ex. Sqn. Ldr. R. Sood v. Union of India & Ors***., 2026 INSC 366, the Supreme Court of India has clarified that an accused who is discharged stands on a higher footing than one who is acquitted after a full-fledged criminal trial, reaffirming the legal consequences and protections flowing from an order of discharge.

The case arose from criminal proceedings initiated against a former Indian Air Force officer in connection with an incident dating back to 1987. Although criminal proceedings were instituted, the Sessions Court discharged the accused at the threshold, finding that no prima facie case was made out and that mandatory legal requirements were not satisfied. Despite such discharge, departmental proceedings were subsequently initiated, culminating in his dismissal from service. The legality of such action fell for consideration before the Supreme Court.

At the outset, the Court undertook a detailed examination of the distinction between discharge and acquittal. It reiterated that discharge is a **pre-trial termination of proceedings** on the ground that the material on record is insufficient to even frame charges, whereas acquittal is a **post-trial determination** rendered after evaluation of evidence.

Emphasising the legal effect of discharge, the Court observed:

> *Discharge is a pre-trial termination of proceedings for lack of evidence. As and when ordered, discharge signifies and reinforces the position that there is no material against the accused for him to stand trial. Whereas, acquittal is a posttrial outcome declaring the accused either innocent due to lack of credible material or on account of grant of the benefit of doubt. Insufficient evidence to even frame charges for standing trial would lead to a discharge while evidence presented not proving guilt leads to acquittal*

Drawing a clear doctrinal distinction, the Court further held:

> *"In that sense, an accused discharged of a criminal offence stands on a better footing than an accused who is finally acquitted after a full-fledged trial."*

In arriving at this conclusion, the Court relied on its earlier decision in **Yuvraj Laxmilal Kanther v. State of Maharashtra**, 2025 SCC OnLine SC 520, reiterating that, by its very nature, discharge stands on a higher pedestal than acquittal.

The Court explained that while an acquittal follows a complete trial where evidence is led but ultimately fails to establish guilt on the other hand a discharge reflects a stronger judicial determination that the case itself lacked sufficient foundation to proceed. In other words, a discharged person ought never to have been subjected to the rigours of a criminal trial in the first place.

Rejecting the contention that discharge places an individual in a weaker position than an acquitted person, the Court termed such understanding as "fallacious". It held that once an accused is discharged, he cannot be treated as occupying a lesser position merely because there was no formal acquittal after trial.

Significantly, the Court held that a discharged person is entitled to all consequential benefits and cannot be subjected to adverse civil or administrative consequences on the basis of the same allegations. It emphasised that once discharge is recorded, the individual ceases to be an accused altogether, and the foundation for further punitive action on identical facts stands substantially eroded.

In this backdrop, the Supreme Court held that the continuation of disciplinary action, despite a clear discharge in criminal proceedings, was unsustainable in law.

The judgment thus crystallises the legal position that **discharge is not a lesser relief than acquittal, but in fact represents a stronger exoneration at the threshold stage**, reinforcing that individuals should not be subjected to the consequences of prosecution where even a prima facie case is absent.

MERE ALLEGATION OF SUBSTANTIAL CASH PAYMENT, WITHOUT COGENT EVIDENCE, NOT ENOUGH TO SET CRIMINAL LAW IN MOTION

In **N.G. Dev v. State (NCT of Delhi) & Ors.**, 2026:DHC:3265, the Delhi High Court reiterated that allegations involving large cash transactions cannot be sustained merely on assertions of trust, friendship, or oral understanding and must be supported by cogent and credible evidence. The Court refused to interfere with concurrent orders of the Trial Court and Revisional Court which had declined to summon the accused in a complaint alleging cheating and criminal breach of trust.

The case arose out of an alleged property transaction in which the petitioner claimed to have paid substantial amounts in cash to the respondents in connection with the proposed purchase of a property. According to the petitioner, the respondents had induced him into the transaction and thereafter failed to honour their assurances, thereby committing offences under Sections 406, 420, 120B and 34 of the Indian Penal Code.

The Magistrate dismissed the complaint after finding that the allegations were unsupported by reliable material. The Revisional Court affirmed the same. Aggrieved thereby, the petitioner approached the High Court under Section 482 CrPC seeking revival of the criminal complaint.

While dismissing the petition, the High Court emphasised that criminal proceedings involving substantial cash transactions cannot proceed in the absence of foundational evidence demonstrating the actual flow of money, source of funds, or contemporaneous documentation. The Court noted that despite the petitioner alleging payment of huge cash amounts, there was no documentary material showing withdrawal of cash, financial capacity, execution of receipts, or any written acknowledgment by the respondents.

Rejecting the plea that the transactions were based on longstanding trust between the parties, the Court observed:

"No matter how close a relationship of trust between the Petitioner and the Respondents may have been, when it comes to money transactions, it has to be corroborated by some cogent evidence."

The Court found it particularly improbable that such substantial cash payments were allegedly made in relation to a property transaction without even verifying ownership documents or executing any formal agreement. The Court agreed with the findings of the Trial Court and Revisional Court that *firstly*, the Petitioner is alleged to have entered into a sale transaction without execution of any documents; and *secondly*, this transaction had been undertaken with Respondents, who were admittedly not the owner of the Suit property.

Expressing serious doubt over the petitioner's version, the Court observed:

"It is absolutely incomprehensible how a transaction of sale can be said to have been entered into without dealing with the owner or even without looking at the property documents or executing some document in proof thereof."

Importantly, the Court also observed that inherent powers under Section 482 CrPC cannot be invoked merely to re-appreciate the same material already examined by the courts below unless patent perversity or abuse of process is demonstrated.

The Court held that the Trial Court and Revisional Court had rightly concluded that, in the absence of any document evidencing an agreement for purchase of the property, there was no prima facie material to establish that the alleged cash payment of ₹4 crores had in fact been made towards the proposed transaction.

Finding no illegality in the concurrent findings of the Trial Court and Revisional Court, the High Court dismissed the petition and refused to direct summoning of the respondents.

The ruling reinforces that criminal law cannot be invoked to give a criminal colour to doubtful, undocumented, or unsubstantiated monetary dealings, particularly large cash transactions, merely by alleging cheating or criminal breach of trust, in the absence of credible and contemporaneous evidence.

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