

Bail Matters 1478/2025
STATE Vs. Swami Chaitanyananda Saraswati
FIR No.320/2025
PS Vasant Kunj (North)
U/s 319(2)/318(4)/336(3)/340(2)/61(2) BNS

26.09.2025

Present: Sh. Irfan Ahmed, Ld. Addl. PP for State.
IO Insp. Johnson Jacob in person.

Sh. Ajay Burman, Ld. Senior Advocate along with
Sh. Varun Seth and Ms. Tanya Harnal, Ld. counsels
for applicant/ accused.

Sh. Kumar Vaibhav, Sh. Rushab Aggarwal, Sh.
Karan Tarkar, Ms. Riddhima Aggarwal, Ms.
Dakshaja Upadhyaya, Sh. Sunder, Sh. Vivek and Sh.
Japnish Singh Bhatia, Ld. counsels for complainant.

1. This is a bail application under section 482 BNSS
(earlier Section 438 Cr.P.C.) seeking grant of anticipatory bail
filed on behalf of the applicant/ accused Swami Chaitanyananda
Saraswati.

2. Reply to the present application filed by the IO.
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3. It is submitted by Ld. counsel for applicant/ accused
that applicant/ accused is a Monk (Saint) of the Sanatana Vedic
Tradition of the Arsha Vidya Order, Adi Shankara Lineage, and a
senior disciple of Pujyasri Swami Dayananda Saraswati Ji of
Arsha Vidya. Applicant/ accused is an internationally acclaimed
author, scholar, educationist and an exponent of quantum
consciousness, whose contributions in the fields of research,
leadership, management and spiritual studies span over decades.

Applicant/ accused holds a masters and doctoral degree from the University of Chicago, along with several Post-Doctoral degrees, D. Litt. and has also been conferred with seven Honorary D. Litt. from eminent universities in India and abroad. After achieving such remarkable academic distinctions and a successful career, applicant/ accused chose to renounce worldly pursuits and dedicate his life in the service of "Sri Sri Jagadguru Shankaracharya Mahasansthanam, Dakshinamanya, Sri Sharada Peetham, Sringeri, Chickmagalur district, Karnataka 577139", a centuries-old preeminent holy institution, headed by His Holiness Jagadguru Shankaracharya Sri Sri Bharati Tirtha Mahaswamiji who is the Ruling Pontiff and Peethadipathi of the Peetham. Applicant/ accused joined the Peetham more than two decades ago and surrendered at the Lotus Feet of His Holiness, and applicant/ accused has been ordained to the seva. It was only with the guidance, encouragement, consent, and blessings of His Holiness that applicant/ accused took Sanyaas Deeksha and was accepted as a senior disciple of Pujya Sri Swami Dayananda Saraswati Ji.

4. It is further submitted that present case FIR arises out of a marathon complaint dated 19.07.2025, running into more than 100 paragraphs and annexing over 50 documents, filed by one Mr. P.A. Murali, while purportedly acting on behalf of the Peetham. Mere volume of allegations, cannot by itself, satisfy the essential ingredients of any criminal offence, nor can it convert a purely civil dispute into criminal offences. Present FIR is an abuse of the process of law and was registered by misusing police machinery and money power with ulterior motives of attempting

to disturb the settled possession and administration of the aforesaid Trust which is being lawfully, uninterruptedly, peacefully, and continuously run/ managed/ operated from the aforesaid premises by applicant/ accused herein and other trustees of the Trust, including Mr. V.R. Gowrishankar, since 2010, with the blessings, consent, and knowledge of the Peetham and His Holiness.

5. It is further submitted that registered documents were duly executed by the Peetham, whereby rights and powers regarding the Institute were expressly conferred upon applicant/ accused. Allegations levelled against applicant/ accused in the present FIR are false, fabricated, and malicious, including the allegations concerning subletting and fraudulent diversion of funds of the Peetham. All the sub-lease deeds in question were openly executed with the full knowledge, consent, and permission of His Holiness, the Peetham as well as Sri V.R. Gowrishankar (Attorney of the Peetham). All such sub-lease deeds are valid, lawful, and duly sanctioned.

6. It is further submitted that applicant/ accused in his capacity as Chairman-cum-Managing Director of the Institute, was primarily entrusted with policy-making, vision, and overall guidance, and was not involved in the day-to-day administrative or operational affairs of the Institute or day-to-day management, including preparation and handling of records, correspondence with statutory authorities, and regulatory compliance, was the exclusive responsibility of the administrative staff, including Mr. Ranjan Sen and Mr. Soumen Datta. Thus, the alleged

irregularities, if any, in the preparation or handling of documents could only have arisen from their mismanagement or deliberate misconduct. Applicant/ accused far from being a beneficiary, is in fact a victim of their collusion with the complainant and has been falsely implicated in the present case.

7. It is further submitted that offences alleged in the present FIR fall within the category of offences punishable with imprisonment between three to seven years. In such cases, Section 173(3) of the BNSS contemplates that the police may, with prior approval of a Deputy Superintendent of Police, conduct a preliminary enquiry to ascertain the existence of a prima facie case before proceeding with investigation. However, no such preliminary enquiry appears to have been conducted in the present matter, thereby further demonstrating the hasty and arbitrary manner in which the FIR has been registered. Applicant/ accused is under imminent apprehension of arrest. Given his old age and health issues, applicant/ accused would suffer irreparable hardships and harm if arrested in the present false FIR.

8. It is further submitted that dispute, if any, is purely civil in nature concerning management and possession of the Trust Property, which the complainant has mischievously sought to give a criminal colour by lodging present FIR. Such abuse of criminal law to settle civil scores is not only impermissible in law but also constitutes a gross misuse of process of Law. Arrest of applicant/ accused is not imperative in the facts and circumstances of the case. Even otherwise, the evidence is documentary in nature and all baseless and ill-founded in view of

the facts and circumstances mentioned the necessary documents are already annexed with the FIR and as such there is no need of custodial interrogation of the applicant. Applicant/ accused has deep roots in the society and there is no likelihood of his absconding or fleeing from justice. Applicant/ accused undertakes to abide by the terms and conditions as imposed by this Court while granting him anticipatory bail. Applicant/ accused is ready and willing to cooperate with the Investigating Officer and undertakes to join the investigation as and when required by the police.

9. Ld. counsel for applicant/ accused has placed reliance upon the judgments titled as **“Babu Rao Mahanthappa Shegunasi Vs. The Director, Directorate Distance Education, MANU/KA/2966/2022”** and **“Abraham Memorial Educational Trust Vs. C. Suresh Babu, MANU/TN/1088/2012”**.

10. Per contra, Ld. Addl. PP for State strongly opposed the present bail application arguing that allegations in the present case are very serious in nature. During course of investigation Complainant has produced the chain of documents and the same were perused which revealed that the then CEO and Administrator namely V R Gowrishankar in the year 1994 on behalf of Peetham, requested the then Lieutenant Governor of Delhi to allot Plot no. 7 and in response to the same, the said land was allotted to the Peetham vide order dated 08.12.1998 for establishing Research Centre. Accordingly, the DDA issued a perpetual Lease Deed dated 19.05.2004 with the condition that the Peetham could not transfer or assign the land without prior

written consent of the lessor. The perusal of the Status quo of the documents also revealed that Sri Srinageri Sharda Institute of Management was established in the year 1995-1996 and later on after due approval of AICTE the name of the institute was changed as Sri Sharada Institute of Indian Management Research.

11. It is further submitted that during the course of investigation it was revealed that applicant/ accused was appointed as attorney of the above institute for limited purpose, but he in collusion with his other associates not only executed unrealistic deed dated 20.10.2008 but also changed the name of the institute without due approval of the competent authority i.e. AICTE. He also in collusion with his associates sub-rented/vested the plot No. 7 and the revenues so obtained from the same, did not deposit with the complainant's firm Peetham. Also, it was revealed that the applicant/ accused for his personal benefit defrauded the Peetham and had created the false documents. Applicant/ accused has not only created fraudulent trust but also unlawfully vested the plot No. 7 into the fraudulent trust. Further, the accused persons in collusion with each other also misappropriated approximately Rs.40 crores and created forged and fabricated documents including AICTE approval and income tax exemption orders to deceive authorities and embezzle funds. Applicant/accused also sub-lease the Plot No. 7 to third parties whereas he was not authorized to do so and also impersonate by representing the fraudulent trust. The applicant/accused also changed his name and falsified personal details to conceal his identity.

12. It is further submitted that applicant/ accused also committed breach of trust with the intention to defraud the Peetham. Revenues and funds generated from Plot No. 7 were intended for the benefit of Sri Sharada Institute of Indian Management Research and the Peetham, but applicant/ accused has diverted these revenues and funds for his own benefit and has criminally misappropriated the property and funds of the complainant by way of sub letting the property. Applicant/ accused has also fabricated an approval letter of AICTE as the original name was approved by AICTE was Sri Sharada Institute Management Research. Applicant/ accused in collusion with other also tried to deceive the complainant a sum of Rs 1 crore by submitting false documents of AICTE approval and also defraud the other government agencies by representing the fraudulent trust.

13. It is further submitted that during investigation, it was revealed that applicant/ accused has obtained 2 Passports (1) Passport no. 22620032 in the name of Swami Parthasarathy and (2) Passport no. 27439298 in the name of Swami Chaitanyananda Saraswati by providing fake details to obtain different Passports fraudulently. Applicant/ accused had mentioned his father's name as Swami Gahananda Puri and mother's name as Shrada Amba while applying for 1st Passport, while he mentioned his father's name as Swami Dayananda Saraswati and mother's name as Sharada Ambal for 2nd Passport. Also, his place of birth in the first Passport is mentioned as Darjeeling and Thiruveticani, Tamil Nadu in the 2nd Passport.

14. It is further submitted that during investigation it was revealed that the PAN Card of applicant/ accused bearing No. APZPP5986L, the father's name was initially shown as Swami Gahananda Puri, thereafter the same stands changed to Swami Dayananda Saraswati. During investigation, it was found that applicant/ accused was operating an account of Union Bank of India on two different names. At the time of opening of these accounts and transfer of account to another branch, different documents with different particulars were given. Around Rs.50-55 lacs were withdrawn by the applicant/accused since the registration of FIR. It was also found that a Volvo car bearing registration no. 39UN1 (was found forged) was being used by applicant/ accused while the original registration number of the Car is DL 4CAF 0088. In this regard, a separate case vide FIR No.385/25 dated 26.08.2025, u/s 345(3)/318(4)/336(3)/340(2) BNS, PS Vasant Kunj was registered and investigation is being carried out. Applicant/ accused has been found to be involved in other cases i.e. Case FIR no.102/2009, U/s 506/509 IPC, PS Defence Colony and Case FIR No.348/2025, U/s 75(2)/351(2)/79 BNS, PS.

15. It is further submitted that applicant/ accused is at large and not residing at his permanent residence and his mobile phone is switched off. Offence committed by applicant/ accused is of serious in nature wherein he seems to have forged documents, obtained 2 passports in different names and operated bank account in different names. The custodial interrogation of applicant/ accused is required to establish the entire chain of fraud/cheating/conspiracy. Also, the investigation is at a nascent

stage and applicant/ accused as an influential person may tamper with evidence. Therefore, present bail application is strongly opposed.

16. Ld. Counsel for complainant has strongly opposed the present bail application arguing that interpolation have been done by the applicant/ accused in the government record to get tax exemptions. After taking the charge as CEO, complainant found various irregularities in the past functioning of the institute in Delhi. He carried out preliminary audit in the month of December, 2024 from where he came to know that applicant/ accused alongwith other several accused persons had been involved in defraud and misappropriation of funds related to the Peetham. Not only this, they fraudulently created another trust by the name of Sri Sharada Institute of Indian Management Research Foundation Trust in the year 2010 whereas the name of the trust was Sri Sharada Institute of Indian Management Research which was approved by AICTE and all the earnings and revenues were diverted by the applicant/ accused for his own benefit and misappropriated the property and funds of about Rs.20 crores related to the Peetham as all the earnings were going in the account of this new Trust namely Sri Sharada Institute of Indian Management Research Foundation Trust. It is further submitted that without the approval of the Peetham, applicant/ accused alongwith other accused persons had also sublet the property of Peetham and was earning monthly rent of Rs.40 lacs. It is further submitted that accused persons including the applicant/ accused had fabricated approval letter of AICTE for changing the name of the trust and also tried to deceive the complainant for a sum of

Rs.1 Crore by submitting false documents of AICTE approval. Applicant has also withdrawn an amount of about Rs. 50-55 lacs since the date of registration of FIR till date and these withdrawals are from outside Delhi and mainly from Yes Bank. It is further submitted that applicant/ accused had procured two Pan Cards and Two Passports on the basis of forged and fabricated documents.

17. Ld. counsel for complainant has relied upon judgment titled as “**P. Krishna Mohan Reddy Vs. State of Andhra Pradesh, 2025 SCC OnLine SC 1157**” and “**Serious Fraud Investigation Office Vs. Aditya Sarda, 2025 SCC OnLine SC 764**”.

18. Submissions heard. Record perused including judgments relied upon by the parties.

19. **Brief facts:** Present case was registered on the complaint of complainant PA Murali alleging therein that applicant/ accused and others were involved in conspiracy, forgery, impersonation, cheating, fraud, criminal breach of trust and misappropriation of properties and funds belonging to the Peetham (Sri Sri Jagadguru Shankaracharya Mahasamsthanam Dakshinamnaya Sri Sharada Peetham, Sringeri). He further alleged that Sh V R Gowrishankar was the then CEO & Administrator of the Peetham vide GPA dated 26.10.1989, but the said GPA was revoked and the complainant has been authorized to represent Sri Sri Jagadguru Shankaracharya Mahasamsthanam Dakshinamnaya Sri Sharada Peetham, Sringeri, Chickmagalur

District, Karnataka vide GPA dated 07.03.2024. Peetham is also involved in various charitable, educational and social initiatives and in the process of the same, Sri Sharada Institute of Indian Management-Research was one of the educational and social institution under the aegis of Peetham and situated at Plot No. 7, Institutional Area Phase-II, Vasant Kunj, Delhi by the DDA.

20. Complainant further alleged that upon taking over the charge as Administrator & CEO of Peetham, he carried out preliminary audit in the month of December-2024 and it came to notice that applicant/ accused in conspiracy and collusion with several others, defrauded and misappropriated the property and funds of the Peetham. He further alleged that applicant/ accused had created a fraudulent Trust named Sri Sharada Institute of Indian Management Research Foundation Trust whereas the name of the trust was Sri Sharada Institute of Indian Management Research which was approved by AICTE. The complainant further alleged that the applicant/ accused also unlawfully vested the Plot No. 7 into the fraudulent Trust and sublet the same without any approval & intimation to the authority concerned. He further alleged that applicant/ accused vide Trust Deed dated 11.05.2021 and supplementary Trust Deed dated 16.10.2024 has changed the name of fraudulent trust i.e. Sri Sharada Institute of Indian Management Research Foundation Trust to SRISIIM Research Foundation and also vested with powers to disburse the property of Peetham.

21. From investigation conducted so far it is revealed that applicant/ accused had created a fraudulent trust namely Sri

Sharada Institute of Indian Management Research Foundation Trust in order to disburse the property of Sri Sharada Institute of Indian Management Research in the fraudulent Trust created by him. Applicant/ accused vested the Plot no.7 into the fraudulent Trust and sublet the same without any approval & intimation to the concerned authority. Revenues and funds generated from Plot No.7 were intended for the benefit of Sri Sharada Institute of Indian Management Research and the Peetham, but applicant/ accused have diverted these revenues and funds for his own benefit and have criminally misappropriated the property and funds of the Peetham.

22. There are allegations that applicant/ accused has fabricated AICTE records and he is also operating an account of Union Bank of India in two different names. At the time of opening of these accounts and transfer of account to another branch, different documents with different particulars were given. There are also serious allegations that applicant/ accused has withdrawn approximately Rs.50-55 lacs from the account of Yes Bank in the name of the Trust after filing of present FIR. Applicant/ accused has alleged to have forged documents, obtained 2 passports in different names and operated bank accounts in different names.

23. This Court has relied upon the judgment titled as **“P. Krishna Mohan Reddy Vs. State of Andhra Pradesh, 2025 SCC OnLine SC 1157”** wherein it is held as under:

19. Custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconced with a favourable order under Section

438. In corruption cases concerning influential persons, effective interrogation of the suspect is of tremendous advantage in disinterring many useful information and also materials which are likely to be concealed. Success in such interrogation would elude if the suspected person knows that he is well protected and insulated by a pre-arrest bail order during the time he is interrogated. Very often interrogation in such condition would reduce to a mere ritual. The High Court remained alive and very rightly to the apprehension of the investigating agency that the petitioners would influence the witnesses, considering particularly the high position they all held at one point of time.

20. Anticipatory bail to accused in cases of the present nature would greatly harm the investigation and would impede the prospects of unearthing of the ramifications involved in the conspiracy. Public interest also would suffer as a consequence.

24. Section 316(5) BNS is also invoked in the present case on finding that applicant/ accused got involved in criminal breach of trust. Investigation of the present case is at a nascent stage and IO requires custodial interrogation of applicant/ accused to establish the entire chain of fraud, cheating, conspiracy and misappropriation of funds. As per version of IO, applicant/ accused is not available at his given address and his mobile phone is switched off.

25. Judgments relied upon by the Ld. Counsel for applicant/ accused are distinguishable on facts and therefore, not applicable in the present case.

26. Considering the seriousness of allegations and gravity of offence, this Court is not inclined to grant anticipatory bail to applicant/ accused. **Therefore, present bail application stands dismissed.**

Application is disposed of accordingly.

Nothing stated herein shall tantamount to expression of opinion on the merits of the case.

Copy of this order be given dasti.

**(Dr. Hardeep Kaur)
Roster Judge, ASJ-02
NDD/PHC/New Delhi
26.09.2025**