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18.11.2010

Present: Mr. Sanjeev Bhardwaj, Advocate with Mr. C.M. Verma,
Advocate for the petitioners.
Ms. Fizani Husain, APP for the State.
Mr. Davinder N. Grover, Advocate for respondent No.2.

+Crl.M.C. No.3573/2010

This is a petition seeking quashing of FIR No.104/07 under Sections 420/468/467/471 120B IPC P.S. Preet Vihar registered on the complaint of respondent No.2. Reason for seeking quashing is that the petitioners and respondent No.2 have amicably settled the matter and now there is no dispute left between them.

Briefly stated, allegations against the petitioner are that the petitioners from the drop box of the bank somehow managed to get hold of cheque No.664348 of ₹95,000/- issued by respondent No.2 in favour of his wife Reeta Dhamija for transfer of amount from his account to the account of Reeta Dhamija. Thereafter, the petitioner forged said cheque by substituting his name by deleting the name of wife of respondent No.2 Reeta Dhamija as beneficiary and withdrew the amount. The complainant aggrieved of the payment of cheque amount to the petitioner despite of the same being forged by the petitioner, filed a petition against the Bank in District Consumer Forum.

From the aforesaid allegations, it is apparent that respondent No.2 is not the only victim in this case, but the Bank concerned is also a victim.

The allegations against the petitioner are of serious nature and the

offence alleged to have been committed by him is an offence against the society.

Under these circumstances, I do not find any justification to quash the FIR. Petition is accordingly dismissed.



(AJIT BHARIHOKE)
JUDGE

NOVEMBER 18, 2010

pst