

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No.212 of 2015**

Raman J. Pandya S/o Jagdish Pandya, Aged About 67 Years R/o 702 Little Star, Ramakrishna Mission Road, Santacruz, Police Station Santacruz West, Mumbai, Maharastra

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Affairs, Mantralaya Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. Superintendent Of Police, Raigarh, District Raigarh Chhattisgarh
3. Station House Officer, Police Station Chakradhar Nagar, District Raigarh Chhattisgarh
4. M/s Ind Synergy, Through Its Legal Officer, Village Kotmar, District Raigarh Chhattisgarh

--- Respondent

For Petitioner	:	Shri Sunil Otwani, Advocate
For Respondent/State	:	Shri Satish Gupta, Govt. Advocate

Order On Board**30/09/2015**

By this petition under Article 226 of the Constitution of India, the petitioner has prayed for quashing of criminal proceedings drawn by the respondents under Crime No.254/2010 registered with Police Station Chakradhar Nagar, Raigarh.

2. Learned counsel for the petitioner submits that under the aforesaid Crime No.254/2010, the Police Station Chakradhar Nagar, District Raigarh registered the criminal case not only against the petitioner but many other accused alleging commission of offence under Section 406, 420 read with Section 34 of IPC. Other co-accused namely Suresh Chandra Goyal, Shri Shastri Venkata Sarwesham Tijomurthi, Gulshan kumar Balaya, Prakash Agrawal and Kuldeep Kumar Dhar have filed their respective petitions for quashing of criminal case against them under Crime

No.254/2010. The aforesaid petitions were heard analogously and vide order dated 01-05-2015 passed by this Court in a batch of petitions filed by the aforesaid petitioners under W.P.(Cr.)Nos.1181, 1360, 2916 of 2011 and Cr.M.P.No.764 of 2010, criminal proceedings have been quashed holding that FIR/charge sheet did not disclose commission of offence under Section 406, 420, 417, 467, 468, 471 & 120-B of IPC.

3. It is submitted that the proceedings have been quashed by this Court on considerations, which are applicable in the case of all the accused including the petitioner in the present petition. The petitioner herein has been included on the basis that he was one of the Directors of the company. In the case referred to above, other directors similarly situated as the petitioners filed petitions before this Court, the role alleged against the petitioner and those, whose petitions have been allowed and proceedings quashed, is no different. The petitioner is similarly situated as the other accused, whose petitions have been allowed.

4. The aforesaid submission of learned counsel for the petitioner could not be disputed by the learned State counsel .

5. In view of above, this petition is also deserves to be allowed and is accordingly allowed. FIR registered under Crime No.254/2010 in respect of the petitioner for alleged commission of offence under Section 406, 420/34 of IPC and all connected criminal proceedings therein are hereby quashed.

Sd/-
Manindra Mohan Shrivastava
Judge