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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 349/2015

VINOD THAKUR

..... Petitioner

Represented by: Mr.Sajid Malik, Advocate

versus

STATE OF NCT OF DELHI & ORS

..... Respondent

Represented by: Mr.Amit Ahlawat, APP for the
State with SI Sandeep Tushir,
P.S.Prashant Vihar
R-5 in person

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

ORDER

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09.09.2016

1. The complainants : Neeraj Mishra, Kumar Shubham, Jitesh Gupta and Pravin Gupta filed a complaint dated December 17, 2012 naming the petitioners : Vinod Thakur for having cheated them. FIR No. 520/2012 was registered for an offence punishable under Section 420 IPC at P.S.Prashant Vihar.

2. The complainants alleged that the accused represented that he was the Director of the Indian Institute of Management Science (IIMS), E-52-53, Prashant Vihar, Delhi and claimed that IIMS was affiliated to Maharishi Dayanand University, Rohtak as well as All India Management Association, Delhi and had been granted approval by the AICTE to grant MBA degrees from Maharishi Dayanand University, Rohtak and PGDM from All India Management Association, Delhi. That the accused showed fake certification

documents to the complainants. The accused also showed the complainants a prospectus and a website of IIMS which highlighted various facilities available at the institute. As a consequence of these representations the complainants paid ₹8,11,400/- for admission in IIMS. Soon thereafter the complainants discovered that the representations made by the accused were false and IIMS was not affiliated to either Maharishi Dayanand University, Rohtak or All India Management Association, Delhi and had not been granted any approval to grant degrees by AICTE. The facilities shown in the prospectus and website of IIMS were also found to be non-existent.

3. By order dated October 29, 2013, in Bail Application No.2006/2013 for anticipatory bail filed by the accused, G.S. Sistani, J. recorded that the accused had agreed to refund the amount given to him by the complainants and the subsequent order dated July 15, 2014 confirming the anticipatory bail granted recorded full payment being made.

4. The accused has filed above captioned Crl.M.C.349/2015 seeking quashing of FIR on the ground that repayment of money claimed had been made by the accused to the complainants and the matter had been settled.

5. In my opinion notwithstanding the complainants settling the dispute the FIR cannot be quashed because the status report shows that apart from the FIR in question three more FIRs by other persons who have been cheated have been registered against the petitioner. The status report shows that the petitioner has now started claiming that his institute has been recognized by CMJ University, Modrina Mansion, Laitumkhrah, Shillong, Meghalaya. To a few he claims that his institute is affiliated with Mahatma Gandhi University, Khanapara, Meghalaya.

6. It is not a simple case of cheating. The petitioner is fabricating

documents showing affiliation granted to his institute by different universities and has also created a web-site on which false information has been uploaded.

7. The petition is dismissed.

PRADEEP NANDRAJOG, J.

SEPTEMBER 09, 2016

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