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

+ W.P.(CRL) 2092/2015 & CrI.M.A. No.13861/2015

SUJIT KUMAR

..... Petitioner

Through: Mr.Yugal Kishore Prasad, Advocate

versus

STATE (NCT OF DELHI) & ANR

..... Respondents

Through: Ms.Nandita Rao, ASC with
Ms.Srilina Roy, Advocate with SI
Vijay Pal, PS Nazafgarh.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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21.01.2016

1. Petitioner Sujit Kumar has filed this writ petitioner praying for quashing of FIR No.481/2013 under Sections 403/379 IPC PS Najafgarh, Delhi.
2. Learned counsel for the petitioner has submitted that the petitioner had lost his ATM Card and thereafter he received a message about deposit of ₹ 25,000/- in his account which was subsequently withdrawn by someone. It has been further submitted by learned counsel for the petitioner that the petitioner has no role to play in the matter, hence this FIR may be quashed.
3. On behalf of State, it has been submitted that detailed status report has already been filed in the matter. The petitioner was made to join the investigation for the reason that a sum of ₹ 25,000/- was deposited in his account and after questioning, he was allowed to leave. It has been further

submitted by learned APP for the State that the matter is still under investigation and so far as the petitioner is concerned, till date no coercive step has been taken against him nor he is likely to be arrested unless some material to show his involvement surface.

4. In this case, FIR No.481/2013 under Sections 403/379 IPC has been registered at PS Najafgarh on the basis of complaint made by Sh.Dasha Ram from whose account someone had withdrawn the money using ATM card.

5. The matter requires investigation. Since the petitioner is not named in the FIR and was merely made to join the investigation for the reason that some amount has also been deposited in his account and later on withdrawn by someone, it is necessary that investigation should be allowed to reach at its logical end. Hence, prayer for quashing of FIR No.481/2013 under Sections 403/379 IPC registered at PS Najafgarh, Delhi is declined.

6. Writ petition is dismissed.

PRATIBHA RANI, J.

JANUARY 21, 2016

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