

for the offence u/S 418 of the Indian Penal Code.

Counsel for the petitioners has submitted that no offence u/S 418 of the Indian Penal Code is made out against these petitioners on the basis of allegation, made in the complaint as well as the solemn affirmation of the complainant. Counsel for the petitioners has drawn attention of the court towards solemn affirmation of the complainant from which, it appears that the complainant himself has stated in the solemn affirmation that he gave five blank cheques to the petitioners for business purposes with signature for the purpose of security. Thereafter, business developed and it has been stated that the petitioners made demand from the complainant of Rs. 3,68,970/- To the court question in S.A., the complainant has stated that there was no any written agreement between the parties for the aforesaid business. In such circumstances, on the basis of allegation as made in the complaint as well S.A. of the complainant and also looking into the background of filing of a case by the complainant on 22-11-2008 after filing of the case by these petitioners against the complainant on 06-11-2008 u/S 138 of N.I. Act, the continuance of the present case is nothing but an abuse of process of law and mere harassment to the petitioners.

Therefore, the impugned order dated 02-03-2009 including the entire criminal proceeding of Complaint Case No. 3192(C) of



2008 with respect to these petitioners is hereby quashed.

This Cr. Misc. application is accordingly allowed.

(Sanjay Priya, J)

A.K.V./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

