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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 983/2017 & CrI.M.A.Nos.5519-20/2017
ANJALI GUPTA Petitioner
Through : Mr. Aseem Mehrotra, Adv.
versus
COMMISSIONER OF POLICE & ORS Respondents
Through : Mr. Rajesh Mahajan, ASC with SI
Amit Kumar PS Connaught Place.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **30.03.2017**

Main prayer of petitioner is that FIR No.61/2017 under Sections 420/34 IPC registered at police station Connaught Place, New Delhi on 24th March, 2017, on the complaint of respondent no.5, may be quashed.

Investigations are at the nascent stage.

It is trite law that averments made in the FIR have to be considered as correct at this stage.

In exercise of its powers under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('the Code' for short), High court is not to intervene and quash the FIR at the nascent stage of investigations. High Court has no jurisdiction to embark upon an inquiry as to the correctness or otherwise of the allegations made in the F.I.R.. The High Court can exercise its power for quashing of the criminal

proceedings where allegations do not constitute a cognizable offence for commencing a lawful investigation. FIR can be quashed only in exceptional and rare cases where it is shown that ingredients of the offences are not made out in the complaint or that the said FIR has been filed for malafide reasons.

In this case, specific allegations have been levelled by the complainant of the inducement. It is alleged that accused persons induced her to invest money in the coffee business by representing that she would be taken as a partner but she was not paid anything nor was she allowed to work, inasmuch as, ₹2,08,000/- which was taken from her, was also not refunded. On the contrary, the accused persons threatened her that if she would not invest more money, her share would be forfeited. Correctness of the allegations have to be verified during the investigation.

For the foregoing reasons, petition is dismissed. Miscellaneous applications are disposed of as infructuous.

A.K. PATHAK, J.

MARCH 30, 2017/dk