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

+ CRL.M.C. 2187/2017

SANJEEV SOOD Petitioner

Through Mr. H.S. Bhullar and
Ms. Bhawani Gupta, Advs.

versus

STATE & ANR Respondents
Through Mr. Amit Ahlawat, Addl. PP for State
with SI Chetan Mandia, VI/EOW

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **25.05.2017**

CRL. M.A. 8967/2017 (Exemption)

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.C. 2187/2017

By the instant petition filed under Section 482 Cr.P.C., the petitioner seeks quashing of FIR no. 240/2000 under Sections 406/409/420/120B IPC, PS C.R. Park.

Charge sheet has since been filed and the matter is at the stage of consideration on charge. As per the allegations, sometime in the year 1996-97, thousands of investors all over the country, were induced to invest money for the purchase of shares of Timberworld Resorts & Plantations India Ltd. and the investment so made were to give substantial financial returns .

It is not in dispute that the applicant was one of the Promoter Director of this company and that, this company was actually governed by the Directors, who were the family members. Ld. Counsel for the applicant strenuously contends that finding the irregularities in the affairs of the company, he resigned and was not the Director of the company in the year 1995 and thereby, was not concerned with the day to day affairs of the company and thereby, no role for any of the offences, for which charge sheet has come to be filed, could be attributed to him. Charge sheet has come to be filed for the offences under Sections 406/409/420/120B IPC. During the course of hearing, on being queried, ld. Counsel for the applicant-petitioner submits that the matter is now fixed for consideration on charge on 10.8.2017. When that is so, he should assert/agitate his such pleas, at the time of consideration of charge. In the event, there is no material available with the prosecution for any role attributable to the applicant-petitioner, the applicant-petitioner would be entitled to be discharged. Suffice to say, the applicant is charge-sheeted for Section 120B as well.

Keeping in view the totality of the facts and circumstances, I do not see any reason to entertain the instant petition invoking the extraordinary jurisdiction under Section 482 Cr.P.C.

Dismissed.

A. K. CHAWLA, J

MAY 25, 2017/rc