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

+ CRL.M.C. 3632/2015

STATE

..... Petitioner

Through: Mr.Kamal Kr. Ghei, APP for the State

versus

SARVESH CHOUDHARY

..... Respondent

Through: Mr.Sudhir Nandrajog, Sr. Adv. with
Ms.Priya Hingorani, Adv.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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09.05.2017

Learned APP for the State submits that the Trial Court while passing the impugned order has gone wrong in law and facts and prays that the impugned order be set aside.

Learned Senior Counsel for the respondent submits that the impugned order dated 31.01.2015 has been passed after filing of the charge-sheet and there is no counter to para Nos.8 & 9 of the impugned order. It is clear from para Nos.8 & 9 of the impugned order that there is no act committed by the respondent herein to attract the criminal liability and, therefore, the impugned order passed by the learned Trial Court find no infirmity and submits that the present petition be dismissed.

Para Nos.8 & 9 of the impugned order are reproduced hereunder:-

“8. The accused though was the authorized signatory in the various bank accounts, however, nothing has come out

in investigation that the accused has drawn any cheque transferring any amount in his own account or in the bank account of any other co-accused or that he had withdrawn any cash amount from any of the accounts.

9. During the arguments the IO who was present stated that during investigation nothing has come to notice showing transfer of any amount other than his monthly remuneration to the personal account of the accused.”

Nothing substantial is emerging in the presence of para Nos.8 & 9 of the impugned order. Therefore, in the light of para Nos.8 & 9, the impugned order does not require any interference and the present petition is dismissed and disposed of accordingly.

I.S.MEHTA, J

MAY 09, 2017/km