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

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Judgment delivered on: 12.01.2018

+ CRL.M.C. 147/2018

PANKAJ KUMAR & ANR.

..... Petitioners

versus

THE STATE GOVT OF NCT OF DELHI & ANR

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. S.C. Jain, Adv. with Mr. Varun Dhingra, Adv.

For the Respondents : Mr. Akshai Malik, APP for State
S.I. Kuldeep Kumar, P.S. Mukherjee Nagar

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

12.01.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A. 620/2018 (exemption)

Exemption is allowed subject to all just exceptions.

CRL.M.C. 147/2018

1. The petitioners seek quashing of FIR No.253/2011 under Sections 420/406/468/471/34/120B IPC, Police Station Mukherjee Nagar. The subject FIR has been registered on the complaint of

respondent No.2, who had contended that one Mr. Rakesh Sharma had forged his cheques in the sums of Rs.30,000/-, 40,000/-, Rs.1,55,000/-, Rs.2,18,000/- and Rs.42,600/-. Two cheques in the sums of Rs.2,18,000/- and Rs.42,600 could not be encashed as the same was detected by the complainant prior to their presentation and the payment was stopped.

2. The above referred two cheques, which were encashed, i.e. Cheque of Rs.40,000/- was deposited in the account of one Mr. Vinod Kumar and the cheque of Rs.2,18,000/- was deposited in the account of Mr. Ravinder Kumar.

3. By the petition, it is contended by the petitioners that they have settled the disputes with the complainant and, accordingly, the complainant does not wish to prosecute the present proceedings.

4. Learned APP submits that the investigation showed that the petitioners has opened fictitious accounts in the name of Mr. Vinod Kumar and Mr. Ravinder Kumar by creating fake ID Cards, *inter alia*, Pan Card, Driving Licence, Election ID Cards. Learned APP submits that though there are no other cheques deposited in the said accounts, however, investigation is going on as to ascertain as to how they were able to obtain fake ID Cards and as to whether they are involved in other offences of similar nature.

5. Keeping in view the above allegations and the contentions of the learned APP, I am not inclined to accept this petition for quashing

of the FIR based on a settlement.

6. The petition is, accordingly, dismissed.

SANJEEV SACHDEVA, J

JANUARY 12, 2018/‘st’

