

\$~20 & 21

IN THE HIGH COURT OF DELHI AT NEW DELHI

Decided on:- 18th July, 2018

+ CRL.M.C. 4670/2015

MOLLY KAPOOR & ANR

..... Petitioners

Through: Mr. Aman Vachher, Mr. Ashutosh
Dubey, Mr. Abhishek Chauhan and Mr.
Arun Nagar, Advocates

versus

**THE STATE GOVT OF NCT OF DELHI
& ANR**

..... Respondents

Through: Mr. Ashish Dutta, APP for
the State with SI Amit Mann, PS
Defence Colony
Mr. G.S. Narula and Mr. M. Sarwar,
Advocates for R-2

+ CRL.M.C. 4671/2015

MOLLY KAPOOR & ANR

..... Petitioners

Through: Mr. Aman Vachher, Mr. Ashutosh
Dubey, Mr. Abhishek Chauhan and Mr.
Arun Nagar, Advocates

versus

**THE STATE OF GOVT OF NCT OF DELHI
& ANR**

..... Respondents

Through: Mr. Ashish Dutta, APP for
the State with SI Amit Mann, PS
Defence Colony
Mr. G.S. Narula and Mr. M. Sarwar,
Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER (ORAL)

1. These petitions seek quashing of the proceedings arising out of FIR no.349/2014 under Sections 420, 467, 468, 471,120B IPC of police station Greater Kailash and FIR no.374/2015 under Sections 406, 420, 467, 468, 471, 120 B IPC of police station Defence Colony on the basis of settlement of the dispute with respective second respondent.
2. During the hearing on the connected petition (Crl. M.C. 4669/2015) which has been decided by a separate order today relating to the first captioned FIR, it has been brought out that the petitioners who were declared proclaimed offenders in the case to which the present matters relate, they having not appeared before the criminal court till date, the Additional Public Prosecutor has informed that report under Section 173 Cr. PC on conclusion of the investigation into FIR was submitted in the court of the Metropolitan Magistrate on 14.07.2016 and, despite knowledge, the petitioners have failed to put in appearance in response to the process which has been issued after cognizance was taken.
3. The case relating to FIR no.374/2015 is also closely connected in that it is at the instance of Anil Narang, who is also described as one of the victims in the other FIR, accused persons being the same (i.e. the petitioners herein). In this case also process under Section 82 Cr. PC has been issued by the Metropolitan Magistrate on account of non-

cooperation and non-appearance of the petitioners despite notice of the investigation being still pending.

4. The case involves offence not only of cheating but also of forgery of valuable security. It was also brought out during the hearing of connected petitions (i.e. Crl. M.C. Nos.1448/2017, 1449/2017 and 7/2017) which are being disposed of by separate orders today that the case involves victims other than the second respondent, such other victims including Sumanjit Kaur and Pioneer Securities Pvt. Ltd., whose grievances remain unaddressed.

5. In these circumstances, these are not fit cases where this court should exercise its inherent jurisdiction under Section 482 Cr. PC to put an end to the criminal process.

6. Both the petitions are dismissed.

R.K.GAUBA, J.

JULY 18, 2018

yg