

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 436 of 2019**

Sunil Nigam, S/o. S.P. Nigam, Aged About 32 Years, R/o. Shastri Colony, Venkat Ward, Katni, P.S. And Tahsil Katni, District Katni, Madhya Pradesh .

---- **Petitioner**

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh

---- **Respondents**

For Petitioner	:	Shri Shashank Thakur, Advocate
For State	:	Shri Ghanshyam Patel, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

13.03.2019

Heard.

1. The present petition is to quash the FIR dated 10.11.2017 lodged by the Officials of the HDFC Bank at Police Station- Civil Line, Bilaspur for the offence under Section 420, 409, 467, 468 & 471 of Indian Penal Code.
2. Perusal of the FIR would show that one Alpana Singh has opened an account with the HDFC Bank wherein Rs. 20 Lakhs fixed deposit has created. Subsequently, on the basis of some forged document another cheque book was issued and also mobile number & email I.D. was changed wherein the transaction was being informed. Thereafter, on the different date, amount of Rs.20 Lakhs were withdrawn. The allegation on the petitioner is that he was the Customer Relation Assistant Officer who had verified the said application and endorsed it as "Seen Verified", therefore, the offence was committed.
3. Learned counsel for the petitioner would submit that it is completely strange to believe that a person who has lost an amount of Rs.20 Lakhs

would not the matter and it is the Bank who reported. It is further contended that only on the apprehension and believe of the Bank Officer, the FIR has been made and there is no iota of any evidence and therefore, the FIR is so vague and there is a delay of almost 5 years.

4. Perused the FIR. Perusal of the FIR would show that the petitioner was working in the HDFC Bank. It is the apprehension. The fact remains that the amount of Rs.20 Lakhs has been taken away on the different dates from account of customer, who has done it is to be investigated. Since the petitioner was an executive, the apprehension has been made over him. Perusal of the FIR and nature of allegation cast doubt over act of petitioner considering the nature of work he discharged. If the FIR is quashed, at this stage, it will strangle the entire enquiry. Therefore, the petition is devoid of all merit and is dismissed.

Sd/-
Goutam Bhaduri
Judge