

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.1494 of 2018**

- Gangaram S/o Ghasuram Sen, aged about 46 years, R/o Village Bhatchoura, Chowki Pachpedi, Police Station – Masturi, Distt. Bilaspur (C.G.) Present Address Krishna Nagar, Rose Quarter No.57 Baloda Bazar, Distt. Balodabazar, Bhatapara (C.G.)

---- **Petitioner**

Versus

- State of Chhattisgarh, through Station House Officer, Police Station Masturi, District Bilaspur (C.G.).

---- **Respondent**

For Petitioner : Shri Vivek Kumar Tripathi, Advocate

For Respondent/State: Shri Anant Bajpai, PL for the State.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/01/2019**

1. Heard.
2. The present petition is for quashing of the FIR bearing Crime No.484/2016, which was registered under Section 420, 467, 468 & 471 IPC.
3. Learned counsel for the petitioner submits that the false allegations were leveled against the petitioner that he has withdrawn an amount of Rs.3,02,724/- which was of the bonus was in the account of different villagers/farmers on the basis of the forged cheque, however, the same was false which would be evident as the persons who have named have already deposed by way of an

affidavit that they themselves have withdrawn that amount and it was not withdrawn by the petitioner.

4. Perusal of the FIR would show that the report was made by Dashrath Koshle alleging that the petitioner while working as in-charge of the Seva Samiti on the basis of the forged cheque withdrew an amount of Rs.302724/-, which was of bonus, thereafter after investigation the charge-sheet was filed. If it is the case of the petitioner that the amount actually was withdrawn by the beneficiary i.e. Madan Lal, Babudas, Umesh Singh, Tijauram, Santosh, then in such case the necessary application for the deposition may be made before the Court by the said persons through the defence. It would be too premature for this Court to hold the submission made by the petitioner. The defence is a finding of fact which is to be arrived at by the Court below. The petitioner, if so advised, may take necessary course of action when the prosecution witnesses are examined before the Court.
5. At this stage the petition appears to be premature. It is accordingly dismissed as premature.

Sd/-

Goutam Bhaduri
Judge

Ashu