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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 9037/2024, CRL.M.A. 34635/2024, CRL.M.A.
34769/2024

INDERJEET SINGH

.....Petitioner

Through: Mr. Vikram Singh Kushwaha, Mr.
Roopenshu Pratap Singh and Mr.
Manish Sharma, Advocates.

versus

THE STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State
with SI Lalit Kumar, EOW.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

20.11.2024

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1. By way of present petition, the petitioner seeks quashing of FIR No. 44/2023 registered under Sections 420/406/120B at P.S. EOW, Mandir Marg, New Delhi.
2. The only premise on which the prayer is sought is that two of the complainants, namely *Mukesh* and *Jaswinder Kaur* had prior enmity with the present petitioner, inasmuch as, *Mukesh* had lodged a false case against the petitioner under Section 376 IPC vide FIR No. 388/2021 at P.S. Pahar Ganj, Delhi, in which *Jaswinder Kaur* was the witness. It is stated by learned counsel for the petitioner that in the said proceedings, the petitioner was acquitted, which led to the filing of the present case against him. It is further stated that there is no allegation of any inducement against the present petitioner and even otherwise, the police ought to have registered



separate cases for each of the victims. In this regard, he has placed reliance on the judgement dated 08.07.2019 passed by a Division Bench of this Court in CRL. REF 1/2014 titled State v. Khimji Bhai Jadeja reported as **(2019) AIRONLINE 2019 DEL 1089**.

3. Ld. APP for the State, on the other hand, opposes the petition by contending that besides the complainants *Mukesh* and *Jaswinder Kaur*, there are 63 other victims and that the total cheated amount is to the tune of Rs.80 lacs. It is further stated that the complaint made in the present case is prior to the aforesaid judgment of acquittal. Ld. APP also informs that the aforesaid decision which is relied upon by the petitioner, has been stayed by the Supreme Court vide order dated 25.11.2019 passed in SLP 9198/2019.

4. I have heard the learned counsels for the parties and gone through the material placed on record.

5. Present FIR came to be registered in the context of money collected by *Creative Holiday India Ltd.* and *Apex International*, both of which are proprietorship firms belonging to and owned by the present petitioner. During the course of submissions, Ld. APP has also shown receipts that have been issued in the name and handwriting of the present petitioner. It is also stated that the statement of the victims have been recorded under Section 161 Cr.P.C., wherein they have stated that they have invested respective sums of money in the aforesaid company on the inducement of the present petitioner. Moreover, it is submitted that the said inducement was about the scheme and was also given at the house of *Jaswinder Kaur* and in this regard, he has referred to the statement of the victims namely, *Kiran*, *Jaswinder*, *Mukesh*, *Savita* and *Ghanshyam*. It is also submitted that statements of other victims are cumulative to the aforesaid statement.



6. On a *prima facie* look of the statements as well as the receipts shown in Court and the decision referred to, and also considering the fact that investigation is still pending, I find that no case is made out to quash the present FIR at this stage. Consequently, the petition is dismissed alongwith pending applications.

7. Needless to state that the observations made hereinabove are only for the purpose of disposal of the present petition and would not come in the way of the petitioner in further proceedings, if any.

MANOJ KUMAR OHRI, J

NOVEMBER 20, 2024

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