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

+ **CRL.M.C. 5250/2017**

RANJU BATRA & ANR

.....Petitioners

Through: Mr. Jatin Rajput, Mr. Rajesh Kumar
Jha and Mr. Varun Panwar,
Advocates.

versus

STATE & ORS

.....Respondents

Through: Mr. Hitesh Vali, APP for the State
with SI Rajiv Ranjan, PS - Mayapuri.
Mr. Roma Singh and Mr. Lalit Bharti,
Advocates for respondent No. 2.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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05.08.2024

1. This petition has been filed impugning the order on charge dated 19.05.2017 in FIR No. 24/2010, P.S. Mayapuri, Delhi under Sections 420/406/506/120B/34 IPC.
2. A perusal of the impugned order would show that the three accused, Ranju Batra (respondent No.1), Sanjay Batra (respondent No.2) and Ajay Batra (Ajay Batra having since passed away) had entered into an agreement with respondent no.2/complainant, Sh. Shamsheer Singh Binder, and cheated the complainant on the pretext of huge earnings from the business of manufacturing of auto mobile switches.



3. As per the FIR, the three accused, including the two petitioners herein had come to the factory of the respondent no.2/complainant, to receive the aforesaid money. It is further stated in the FIR that the petitioners assured respondent no.2/ complainant that within one year, all losses suffered would be recovered and interest would also be given. Thereafter, respondent no.2 spoke with the petitioners and they had given assurance that the orders for new machines have been made. Later respondent no.2 also visited the residence of the accused persons (including both petitioners herein) at Meerut, U.P. where all the three accused were present and when he asked to show the progress of the new factory, they showed an old factory of the accused persons; the complainant was shocked and surprised to see that there was nothing except old machines.

4. In the background of these facts which are narrated in the FIR, charges were framed. It is noted that the trial is already underway and three material witnesses have been examined as per the learned APP for the State on the instructions of the I.O.

5. The petitioners' plea assailing the order on charge is, therefore, not sustainable, both on the merits of the case, as well as the fact that the trial is well underway.

6. Accordingly, the petition is dismissed.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

AUGUST 5, 2024

Kd/na

[Click here to check corrigendum, if any](#)