31.10.2025
Sl. No.13
Ali
Ct.No.22

CRR 1287 of 2018

In Re: An Application under Section 482 of the Code of Criminal Procedure;

In the matter of : **Lekhraj Balmiki**

.... petitioner

1. None appears on behalf of the parties, nor any accommodation is prayed for.
2. The Court notes with disapproval the utter negligence exhibited by the Petitioner. The record confirms a persistent failure to comply with this Court's direction of July 5, 2018, requiring the filing of an Affidavit of Service upon the Opposite Parties. This matter was admitted under the 'Contested Application' heading in 2018; despite the passage of nearly seven years, the parties have failed to appear and prosecute this revision.
3. Considering the inordinate delay and the complete lack of diligence on the part of the Petitioner, the Court is constrained to call upon the matter for final consideration and the passing of an order based exclusively upon the materials available on record.
4. This Revisional Application, preferred under Section 482 of the Code of Criminal Procedure (Cr.P.C.) by the Petitioner, LekhrajBalmiki, seeks the quashing of the proceedings in G.R. Case No. 600 of 2018, arising out of Hare Street Police Station Case No. 114 of 2018, concerning serious offences under

Sections 120B/419/420/467/468/471 of the Indian Penal Code.

5. The prosecution originates from a complaint lodged by the Zonal Manager of the Indian Bank, detailing an alleged fraud in securing a Home Loan of Rs. 28,00,000/-. The Petitioner, an employee of Bharat Petroleum, and his wife as co-borrower, offered a flat as security based on a Deed of Conveyance (No. 6251 of 2016) purportedly executed by Smt. Mira Singh.

6. The loan account subsequently became a Non-Performing Asset (NPA). During the Bank's attempt to take physical possession of the property under the SARFAESI Act, obstruction was raised by Mr. Amit Kr. Singh and Santosh Kumar Singh. It was revealed that the entire land and building had been previously mortgaged to PNB Housing Finance since 2009, and furthermore, the obstructors contended that Smt. Mira Singh, the purported seller, "did not sell the property."

7. The factual matrix, as revealed by the FIR, conclusively demonstrates that the Petitioner secured a substantial public loan by presenting a title deed that, *prima facie*, appears to be fraudulent given the prior subsisting mortgage and the challenge to the genuineness of the conveyance itself. The sequence of default, followed by the discovery of a pre-existing encumbrance and alleged misrepresentation of ownership, constitutes sufficient material to support the allegations of cheating and forgery under the penal sections invoked.

8. The existence of *prima facie* sufficient materials against the Petitioner negates any ground for interference under the inherent jurisdiction of this Court. I find no irregularity or impropriety in the ongoing criminal proceeding that would warrant the quashing of the FIR at this juncture.
9. Accordingly, the instant Revisional Application is dismissed both on the merits available on record and due to the non-prosecution by the Petitioner.
10. Interim order, if any, stands vacated.
11. There shall be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be supplied expeditiously upon compliance with all necessary legal formalities.

(Uday Kumar, J.)