



\$~44

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

+ **W.P.(CRL) 1874/2021**

AMIT KUMAR JHA & ORS.

.....Petitioners

Through: **Mr. Prabhat Kumar, Advocate**
(through VC)

Versus

STATE & ORS.

.....Respondents

Through: **Ms. Rupali Bandhopadhyaya,**
Additional Standing Counsel for
Respondent No.1 with SI Sacin
Yadav
Mr. Sumit Mishra, Mr. Nagender and
Mr. Pratap Singh, Advocates for
Respondent No.3
Mr. Shyamlal Kumar & Mr. Apoorva
Pal, Advocates for Respondent No.4

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

08.04.2025

%

1. The present Petition under Article 226 of Constitution of India has been filed by the Petitioner seeking quashing of FIR No. 430/2021, under Section 420/34 IPC, registered at Police Station Ashok Vihar, Delhi.
2. It is submitted in the Petition that as per the Complainant, he has been cheated of Rs. One Crore, however, the Petitioners assert that the entire payment has already been made and the FIR has been registered under the pressure of CMM, as has also been reported in a newspaper clipping. It is submitted that the present FIR is nothing but an abuse of process of the law



and is liable to be quashed.

3. Learned Additional Standing Counsel for Respondent-State submits that Charge-sheet in the present case stands already filed and cognizance has been taken and summons have been issued. It is submitted that nothing survives in the present Petition.

4. Learned Counsel appearing for Petitioners also submits that various Petitions under Section 138 of NI Act have been filed against the Petitioners for alleged recovery of amounts.

5. Submissions heard and record perused.

6. It is the plea of the Petitioner that he has already made payments, however, it is disputed by the Complainant. Pertinently, Charge-sheet after due investigation has already been filed. Nothing survives for consideration in the present Petition.

7. The present Petition is accordingly disposed of with liberty to the Petitioner to raise the contentions before the learned Trial Court at the appropriate stage.

NEENA BANSAL KRISHNA, J

APRIL 8, 2025

r