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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 904/2023**
MOHD. QAISER

..... Petitioner

Through: Mr.Vaibhav Sharma, Ms.Urvashi
Sharma and Ms.Rupali Jain,
Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr.Mukesh Kumar, APP for State
with ACP Rajesh Sharma, EOW.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

09.02.2023

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CRL.M.A. 3473/2023

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CRL.M.C. 904/2023

3. This petition is filed against the order 19.11.2022 passed by learned Revisional Court in Crl.Rev.P. No.292/2022 whereby the order on charge and framing of charge dated 30.05.2022 and 31.05.2022 respectively against the petitioner passed by the learned Trial Court were upheld.
4. The learned counsel for petitioner submits the petitioner was a Senior Manager in Bank of Maharashtra, Greater Kailash-II, New Delhi at the relevant time, which branch had granted a loan of Rs.2.00 Crores on the basis of forged property documents in respect of property bearing No.H-5/10, Krishna Nagar, Delhi, which infact belong to the father and uncle of co-accused Nitin Arora and they purchased this property from Smt.Lila Rani vide two separate registered sale deed in the year 1994 and 1995.



5. Thereafter, co-accused Nitin Arora and his wife Ishma Arora have forged the gift deed of Smt.Lila Rani allegedly executed by her in the year 2011 however, in fact, Smt.Lila Rani expired in the year 2004.
6. The allegations against petitioner are he being the Senior Manager did not verify the property documents since the documents were already filed by co-accused with different banks for taking loan and different banks had taken action against the borrower for recovery of such loans.
7. The learned counsel for petitioner submits the petitioner has been roped in on the basis he being senior officer of the bank, but whereas he has nothing to do with the verification report etc which, in fact was prepared by the co-accused A.C.Bej, the then Chief Manager, who rather visited the property in question on 18.09.2012, but did not mention the fact it was occupied by uncle of co-accused Nitin Arora. It is alleged the petitioner has nothing to do with the verification of the property documents and that he cannot be made vicariously liable for the act of other officers of the bank.
8. Notice issued. Learned APP for the State accepts notice and seeks to file status report. Be filed before next date of hearing with an advance copy thereof to the learned counsel for petitioner.
9. List again on 12.05.2023.

YOGESH KHANNA, J.

FEBRUARY 09, 2023

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