

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPEAL NO(s). 1916 OF 2009

MADHAVPURA MERCANTILE CO-OP.BANK LTD ... APPELLANT(S)

VERSUS

SHAILESH PATWARI & ANR. ...RESPONDENT(S)

O R D E R

This appeal is directed against the order of quashing the criminal proceedings against respondent No. 1 on certain allegations for commission of offences punishable under Sections 406, 409, 420 and 120-B of the Indian Penal Code. The High Court after careful consideration of the factual and legal aspects into consideration exercised the discretionary power and quashed the criminal proceedings in exercise of its discretionary power under Section 482 of the Code of Criminal Procedure.

Learned counsel appearing on behalf of respondent No. 1 submits that the appellant-Bank has already issued "No Dues certificate" to the respondent. His submission is placed on record.

We do not find any reason to interfere with the impugned order of the High Court. The appeal, being devoid of merit, is dismissed accordingly.

Needless to mention that this Order will not come in the way of the appellant-Bank to recover the amount due, if any, from the respondent.

.....J.  
(V. GOPALA GOWDA)

.....J.  
(R. BANUMATHI)

NEW DELHI,  
FEBRUARY 11, 2015

ITEM NO.7

COURT NO.11

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 1916/2009

MADHAVPURA MERCANTILE CO-OP.BANK LTD.

Appellant(s)

VERSUS

SHAILESH PATWARI & ANR.

Respondent(s)

(with office report)  
(For Final Disposal)

Date : 11/02/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Mr. Ankur Saigal, Adv.  
Mr. Vivek Jain, Adv.  
Mr. Mahesh Agarwal, Adv.  
Mr. Rishi Agrawala, Adv.  
Mr. E. C. Agrawala, Adv.

For Respondent(s) Mr. Aditya Verma, Adv.  
Mr. Vikas Singh Jangra, Adv.  
  
Ms. Hemantika Wahi, Adv.  
Ms. Jesal, Adv.  
Ms. Preeti Bhardwaj, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is dismissed in terms of the signed order.

(S. K. RAKHEJA)  
COURT MASTER

(MALA KUMARI SHARMA)  
COURT MASTER

(Signed order is placed on the file)