

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>10.11.2022</u>		<p>C482 No. 2003 of 2022</p> <p><u>Hon'ble Sharad Kumar Sharma, J.</u></p> <p>Mr. Amar Murti Shukla, Advocate, for the applicants.</p> <p>Mr. T.C. Aggarwal, Deputy Advocate General, along with Mr. Tumul Kumar Nainwal, Brief Holder, for the State.</p> <p>Mr. Amish Tiwari, Advocate, for the complainant.</p> <p>Though this C482 Application is listed today on a Compounding Application in a proceeding, which stood instituted at the behest of registration of an FIR, being FIR No. 3 dated 16th February 2022, the complainant/respondent No. 2, herein has levelled a set of allegations initially against the unnamed person for having wrongfully withdrawn a sum of about Rs. 11 lakh, from his account, by use of fraudulent ATMs.</p> <p>The matter was investigated upon and during the course of investigation, the involvement of the present accused persons, who are the applicants herein was reflecting during the course of the investigation and hence they were charge sheeted by the Investigating Officer for the offences under Sections 420, 467, 468, 471 & 120B of IPC and Section 66D of the Information Technology Act.</p> <p>The complainant has made a statement before this Court, that he has already received the amount, which was</p>

			<p>said to have been wrongfully withdrawn by the present applicants, as would be apparent from the respective Compounding Application, which has been duly endorsed by the present applicants, as well as the complainant.</p> <p>It might be a fact, that the complainant's grievance stands redressed, because the amount, which was said to have been wrongly withdrawn from his account, has been paid by the present applicants, but that in itself cannot be a reason to accept a averments made in the Compounding Application, because the compounding application, it would be amounting, to an admission of an offence, by the present applicants and owing to the set of allegations levelled in the FIR and stood established by the Chargesheet and the consequential summoning order, this Court is not inclined to interfere in the present C482 Application as some of the offences being tried are not compoundable.</p> <p>Accordingly, the C482 Application stands dismissed.</p> <p>The learned trial Court will make all efforts, to expedite the trial of the proceedings.</p> <p style="text-align: right;">Sharad Kumar Sharma, J.) 10.11.2022</p> <p>Mahinder/</p>
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