# Legal Case Summary

## Title of the Case:

A.M. Mohan vs The State Rep By SHO

## Citation:

2024 INSC 233

## Date of Judgment:

20 March 2024

## Bench / Judges:

Justice B.R. Gavai, Justice Rajesh Bindal, Justice Sandeep Mehta

## Author of the Judgment:

Justice B.R. Gavai

## Parties Involved:

Appellant: A.M. Mohan  
Respondents: The State represented by SHO and Another

## Background / Facts of the Case:

The case arose from a complaint alleging cheating and criminal breach of trust. During 2016, the complainant, Karthick Krishnamurthy, was induced by accused persons including the appellant, A.M. Mohan, and others to invest large sums of money in various real estate projects and business ventures. Financial transactions were made, including registered mortgage deeds, General Power of Attorney (GPA), sale deeds, and loan agreements. The complainant alleged that the accused, including Mohan, swindled over ₹16 crores through fraud, misrepresentation, and dishonesty.

## Legal Issues Raised:

1. Whether the allegations in the FIR and charge-sheet disclosed a prima facie offence under Section 420 IPC (Cheating) against the appellant.  
2. Whether the High Court was justified in refusing to quash the FIR and criminal proceedings under Section 482 CrPC.

## Judgment / Decision:

The Supreme Court held that there were no specific allegations of inducement, dishonesty, or fraud against A.M. Mohan. The FIR and charge-sheet did not establish essential ingredients of cheating under Section 420 IPC against him. The Court noted that transactions involving the appellant were purely civil in nature, mainly relating to sale of land and payment received. Therefore, the Court found continuation of criminal proceedings would amount to abuse of process and miscarriage of justice.

## Final Order:

The Supreme Court quashed the FIR (Crime No. 21 of 2020) and the consequential charge-sheet against the appellant, A.M. Mohan. The appeal was allowed. The earlier High Court order dated 15 July 2022 was set aside.

## Case Timeline:

• 2016–2017: Financial transactions between complainant, accused No.1, and appellant.  
• 7 November 2020: FIR registered.  
• 15 July 2022: High Court rejected petition to quash FIR.  
• 4 January 2023: Charge-sheet filed.  
• 20 March 2024: Supreme Court delivered final judgment.

## Relevant Articles / Legal Principles:

1. Section 420 IPC – Cheating and dishonestly inducing delivery of property.  
2. Section 415 IPC – Ingredients of Cheating.  
3. Section 482 CrPC – Inherent powers of High Court to prevent abuse of court process.  
4. Doctrine – Abuse of Process of Law.  
5. Principle – Distinction between civil disputes and criminal offences.