



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

% *Reserved on: 16th October, 2025*
Pronounced on: 20th January, 2026

+ **CRL.M.C.3484/2018, CRL.M.A. 12638/2018 (stay)**

SHAKUNTALA DEVI
@ SHAKUN RANA
 W/o Shri Surender Singh Rana
 R/o SFS Flat No.7A, Pkt B,
 Mayur Vihar, Phase III,
 Delhi-110095.

.....Petitioner
 Through: Mr. Rakesh Tiku, Sr. Advocate with
 Ms. Arpan Wadhawan, Mr. Sandeep
 Kumar and Mr. Monu Kumar,
 Advocates.

versus

1. **SMT. SUDHA SINGH**
 W/o Late Shri Anil Rana
2. **TUSHAR RANA**
 S/o Late Shri Anil Rana

 Both residents of House No.140-141,
 Block C-1, New Kondli,
 Delhi-110096.
3. **SHRI SURNDRA SINGH RANA**
 S/o Late Shri Basudev Singh Rana
4. **SHRI DIPIN RANA**
 S/o Shri Surender Singh Rana
 Both residents of Flat No.7-A, Pkt-B,
 DDA HIG SFS Flats, Mayur Vihar,
 Phase III, Delhi.



5. **SMT. SUCHIN RANA**
 Wife of Shri Himanshu
 Resident of House No.25-A/1A,
 Gali No.17, Pandava Road,
 Bhola Nath Nagar,
 Shahdara, Delhi-110032.

Also at:
 Flat No.7A, Pkt-B DDA HIG SFS Flats,
 Mayur Vihar Phase III, Delhi-110096.

6. **SHRI PRAMOD KUMAR SAGAR**
 Son of Shri B.D. Sagar
 R/o H.No.B-101, Kothiyat Mandal,
 Town Uttari, Ghaziabad, UP.

Also at:
 Directorate of Marin Engineering
 1HQ, Ministry of Defence (Navy)
 Sena Bhawan, New Delhi-110011.

7. **SHRI KUMAR SUNIL**
 Son of Late Shri Lal Singh
 R/o H.No.93/1, Sector I,
 Central Government Colony,
 Pushp Vihar, Delhi-110017.

Also at:
 Directorate of Navy Design (SDG) 1HQ
 Ministry of Defence (Navy)
 New Delhi-110066.

8. **SHRI NEPAL SINGH @ RINKU**
 Son of Shri Lekhraj Singh

9. **SHRI RAHUL SINGH**
 Both residents of Village Naisar,



Tehsil Khurja, District Bulandshahar, UP.

10. **SUB REGISTRAR-III, L.M. BANDH**
 Shastri Nagar, Geeta Colony, Delhi.Respondents
 Through: Mr. Rajesh Srivastava & Mr. Gaurav
 Verma, Advocates.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

NEENA BANSAL KRISHNA, J.

1. A Petition has been filed on behalf of the **Petitioner/Shakuntala Devi** under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as “Cr.P.C”*) to challenge the Order of the learned ACMM dated 27.02.2018 summoning the Petitioners in the Complaint under Section 200 Cr.P.C. for the offences under Section 420, 467, 468 and 471 read with Section 120B Indian Penal Code, 1860 (*hereinafter referred to as “IPC”*), which Order has been upheld by the learned Special Judge, PC Act, CBI, Delhi in Criminal Revision No.102/2018, *vide Order dated 30.05.2018*.

2. The **facts in brief** are that Respondent No.1/Sudha Singh and Respondent No.2/Tushar Rana had filed a Complaint under Section 200 read with Section 156(3) Cr.P.C for the trial of the Respondents under *Section 416/417/418/419/420/506/467/468/471/120-B/34 IPC*.

3. The Complainant, Sudha Singh asserted that *her husband, Anil Rana* was working as Sr. Draftsman, Directorate of Naval Design (SSG), IHQ, MOD Navy, Govt. of India, Delhi. He died intestate on 15.02.2011 and was survived by the Complainant, Sudha Singh and their minor son, Ayush Rana



(aged about 13 years). On the demise of Sh. Anil Rana, all his assets and properties devolved upon the Complainant being the Class-I heirs, by virtue of law of Succession.

4. The husband had an agricultural property bearing *Khaka No.00011 Khasra No.227 and Khaka No.00012 Khasra No.248M situated at village Naisar, Tehsil Khurja, District Bulandshahar, U.P.* in his name which was mutated in the name of the Complainant *vide* Order dated 28.06.2011 by the Tehsildar, Khurja.

5. Thereafter, the Accused persons hatched a conspiracy and filed an Application/Appeal before ADM, Khurja to challenge the mutation, which was dismissed. The Order was challenged before the DM, but to no avail, and was also dismissed on 30.08.2014.

6. The Complainant asserted in her Complaint that thereafter, on 19.12.2014, Smt. Shakuntala Devi moved the Application for Mutation of the subject property in her name on the basis of the Will dated 28.01.2008 registered on 28.11.2014 before *Sub-Registrar-VIII, Delhi*, copy of which was annexed with the Application.

7. The Complainant asserted that this Will was forged and fabricated and was never mentioned by Smt. Shakuntala Devi in the earlier proceedings. The Complainant came to know about this alleged Will for the first time when it was filed before SDM, Khurja. Thereafter, the Complainants made Complaint to the Police, but no action was taken. Thereafter, the Complainants filed a Complaint under Section 200 Cr.P.C for the offence under Section 416/417/418/419/420/506/467/468/471/120-B/34 IPC.



8. *The learned ACMM vide the Order dated 27.02.2018, summoned Shakuntala Devi and co-accused, Pramod Sagar and Sunil Kumar, for the offence under Section 420/467/468/471 read with Section 120B IPC.*

9. The Order on Summoning was challenged before the **learned ASJ**, who in his detailed **Order dated 30.05.2018**, did not find any merit in the Revision Petition and **dismissed the same while upholding the Order of Summoning of learned ACMM**.

10. Aggrieved by the **Summoning**, **Smt. Shakuntala Devi** has filed the present Petition, wherein it is submitted that there was a **Will dated 28.01.2008** which was **registered on 28.11.2014**, executed by deceased, Sh. Anil Rana which had been filed before the Tehsildar, Khurja, U.P. for mutation of the properties in the name of Smt. Shakuntala Devi on the basis of the registered Will. The said proceedings are pending in Secunderabad Court and is at the stage of evidence.

11. The Complainants filed a *Civil Suit against Surender Singh Rana and others to seek an Injunction* to restrain them from taking possible possession of the properties, which is pending in the Court of Civil Judge, Khurja, U.P. wherein the evidence of the Complainant is being recorded, though Interim relief was granted to the Petitioner to the effect that the Complainant and others were restrained from interfering in the peaceful possession of the Petitioner in respect of the property.

12. The Objection/Application has been filed by the Respondent Nos. 1 and 2 in the Mutation proceedings at Khurja. The Petitioner/Shakuntala Devi has also filed a *Suit for Declaration, etc. against the Complainant/Sudha Singh* for being declared as the owner and in possession of the suit property



since the time of its purchase and also that the Complainant and others, got the property mutated in their name against the law and the rules.

13. The Respondent Nos.1 and 2 have also filed a *Suit for Declaration and Injunction in the Civil Court, Delhi claiming the same relief against the Petitioner.*

14. It is submitted that the question of genuineness of the Will, is pending before the Judicial Court at Khurja. The Complainants before filing the present Complaint, have already approached the Civil Court, wherein the same relief has been sought. The question which has arisen in Civil Court at Khurja and Karkardooma, is in regard to the territorial jurisdiction of the Court to decide the question of genuineness of the Will.

15. The **impugned Order dated 30.05.2018 of learned Revisional Court has been challenged on the grounds** that it has not been considered that Civil Suit has already been filed by the Complainants, for the similar relief. The Will in question was filed before the SDM, Khurja, U.P. where the question of its genuineness was to be testified. The Complainants had also filed their objection at Khurja Court in a Suit, for initiating necessary action qua the same.

16. In view of the multiple Civil/Revenue litigation, the present Complaint is not maintainable. The disputes which have been raised pertain to the genuineness of the Will, which can be decided only by the Civil Courts. Furthermore, the Complainants had the option to *challenge the registration of the Will by filing an Appeal under the Registration Act.*

17. The reference is made to *Sardool Singh vs. Naseem Kaur*, decided on 10.02.1987 cited as 1987 LawSuits SC 155, wherein it was observed that where the matter is *sub judice* in civil courts about the validity of Will,



permission to institute a criminal prosecution on the allegation that the Will is a forged one, cannot be held maintainable.

18. Furthermore, it is claimed that the Will was duly witnessed by the witnesses and attested by Notary Public. The Register is in the possession of the Notary Public and has all the relevant entries. The CGHS Card on the basis of which the registration was done, was in possession of the Respondent. It all reflects that the Petitioner had no involvement with the CGHS Card entry.

19. It has not been appreciated that the Report of Hand Writing Expert cannot be relied upon as it is not a conclusive proof. The Report was prepared on the basis of the photocopy of the Will and the alleged signatures of deceased, Sh. Anil Rana. The Signature Matching Report is not a proper and a correct guidance for ascertaining the forgery of the alleged Will.

20. Therefore, the learned ASJ has committed the jurisdictional error and therefore, the Order of the ACMM dated 27.02.2018 and the Order of the learned ASJ dated 30.05.2018 upholding the Order of learned M.M., is liable to be set aside.

21. *Learned counsel for the Petitioner has relied upon the judgments* passed by the Apex Court in Sardool Singh vs. Nasib Kaur, 1987 SCC (Cri) 672 and R. Nagender Yadav vs. State of Telengana & Anr., Criminal Appeal No. 2290/2022 in support of her assertions.

22. The **Respondent Nos.1 and 2 in their Reply** have taken a preliminary objection that the present Petition amounts to *second Revision* which is not maintainable in law. The Petitioner has filed many new documents along with this Petition, which were not filed in the Courts below. No permission has been sought from this Court, to produce the additional documents.



Therefore, the documents filed along with this Petition, cannot be considered as they do not form part of the Court of ACMM and learned ASJ. It is claimed that the true and correct facts have not been disclosed and the Petitioner has not approached the Court with clean hands. The Order of Summoning of the learned ACMM, is only an interlocutory Order against which the Revision was filed, which has been dismissed.

23. The issue involved in the present Petition is in regard to the fabrication of the Will of Sh. Anil Rana by the Petitioner/Shakuntala Devi and the two other co-accused persons. It is asserted that the Will was allegedly got registered by the Petitioner after more than three years of demise of Sh. Anil Rana.

24. After the demise of Sh. Anil Rana, the claim was filed for settlement of his service benefits, in the Ministry of Defence, Navy. At the time of settlement of GPF and other claims, the Petitioner did not raise any execution of Will in her favour. It is evident that this Will has been forged and prepared subsequently by the Petitioner in connivance with the other co-accused.

25. It is further submitted that after the demise of Sh. Anil Rana, the property was duly mutated in the name of the Complainant *vide* Order dated 28.06.2011 of judicial Tehsildar, Khurja, Bulandshahar, U.P., which was in the knowledge of the Petitioner, but therein also she did not produce the alleged Will. The criminal conspiracy between the Petitioner and other co-accused persons is evident from the fact that while challenging the Mutation Order of the Tehsildar dated 28.06.2011, there was no Will projected even at that time and the Appeals preferred before the ADM and DM were, respectively dismissed.



26. It is only thereafter, that the Petitioner started taking of false plea of having a registered Will in her favour and sought the mutation of the subject property in her name. It is evident that the only intention of the Petitioner and her associates, was to grab the property of the Respondent by any means. If the Petitioner was having a genuine Will of Late Shri Rana, she would have placed the same in the first instance and not waited subsequently. The circumstances make it crystal clear that the alleged Will is forged and fabricated and has been created only to fulfil the illegal interest or motive of the Petitioner.

27. The Respondent/Complainant came to know about the forged Will only on 29.01.2015 at the time of hearing before the SDM, Khurja. The Complainant and the other accused persons, are allegedly the beneficiaries under the forged Will and Accused No.5 and 6, Pramod Kumar Sagar and Sunil Kumar, were the witnesses to the forged Will. The Accused No. 9, Sub Registrar had wrongly registered the Will. In fact, this alleged Will which is totally fabricated, is liable to be cancelled. The *malafide* of the accused persons is evident as they intent to grab the properties of Late Shri Rana which already stands mutated in the name of the Complainant and the two sons.

28. The Respondent No.2 after coming to know about the Will, had approached the Sub Registrar for clarification. She applied for the certified copy of the alleged Will, on 18.02.2015. It is claimed that the Petitioner and other Accused who are her in-laws, are creating regular problems in her life. They have committed offence of cheating, forgery, perjury, misappropriation and mis-representation and have been threatening the answering Respondent to plea Complainant of dire consequences.



29. It is submitted that the learned ASJ has rightly upheld the Order of the learned ACMM summoning the Petitioner and the two other co-accused. There is no merit in the present Petition, which is liable to be dismissed.

30. *Learned counsel for the Respondent No. 1 and 2 have relied upon the judgements* passed by the Apex Court in Kamaladevi vs. State of W.B. & Ors., 2002 (1) SCC 555; Iqbal Singh Marwah & Anr. vs. Meenakshi Marwah & Anr., 2005 4 SCC 370; Rumi Dhar vs. State of W.B. & Anr., (2009) 6 SCC 364; K. Jagadish vs. Udaya Kumar & Anr., (2020) 14 SCC 552; and Syed Askari Hadi Ali Augustine Imam & Anr. vs. State (Delhi Administration) & Anr., (2009) 5 SCC 528 in support of their assertions.

Submissions heard and record perused.

31. From the facts as narrated above, it emerges that after the demise of Sh. Anil Rana, the terminal benefits of his service were distributed by Ministry of Defence to the Complainant/Wife and the sons, in accordance with Rules and no alleged Will was presented by the Petitioner. Likewise, the properties of Sh. Anil Rana were transferred/mutated in the name of the Complainant by the Order of the Tehsildar, Khurja, U.P.

32. The two Appeals preferred by the Petitioner to challenge the mutation before the ADM and DM, did not succeed. Pertinently, no alleged Will was presented till then before any of the Authority. It is only subsequently, on 19.12.2014 that the Petitioner (mother of the deceased) filed an Application for mutation of the same property in her name, on the basis of this Will before the Tehsildar, Khurja. It is then that the Complainant became aware of the Will dated 28.01.2008 which has been subsequently registered on 28.11.2014, which she claims is a forged and a fabricated document.



33. It is not in dispute that the proceedings before the Tehsildar preferred by the Petitioner/Smt. Shakuntala Devi, is being contested by the Complainant. Aside from this, multiple Civil Suits have been filed by the Petitioner as well as the Complainant to seek the protection of the possession and also for the ***declaration in respect of the Will***.

34. The **learned ACMM** duly considered the testimony of the Complainant about the Will being forged which got corroborated by the testimony of CW5/Syed Imtiaz Ahmed, handwriting expert who deposed that the signatures on the Will were not those of Sh. Anil Rana. The documents of deceased, Sh. Anil Rana bearing his original signatures, were produced by CW3 and CW4, the Bank officials.

35. **CW2/Sh. Madan Lal Gupta** Notary Public, who had allegedly notarized the Will (Ex.CW1/4) produced his Register pertaining to the entry at Page No.13 at Sr. No.30 (Ex.CW2/A) and it was found that there was some discrepancy with regard to the manner in which the identification of the deceased was conducted. It was admitted that the Will was not bearing the thumb impression of the executant, while in all other entries the Executant had put his thumb impressions, which was considered as another factor to create a doubt about the genuineness of the Will. Reference was also made to the CGHS Card of the deceased on the basis of which the deceased had been identified before the Notary Public/CW2, to observe that the validity of the CGHS Card is for five years from the month of issue or till the validity whichever is earlier. The use of CGHS Card which was issued in May, 2010 was also considered as a factor raising the doubt about the Will. It was further noted that Accused No.2, Smt. Shakuntala Devi was



the beneficiary under the disputed Will while Accused No.5 and 6, Pramod Kumar Sagar and Sunil Kumar were the attesting witnesses.

36. It was thus, observed by the learned ACMM that there was *prima facie* offence under Section 420/467/468 and 471 read with 120B IPC made out against the Petitioner/Shakuntala Devi, Pramod Kumar Sagar and Sunil Kumar.

37. *These findings of the learned ACMM were considered by learned ASJ who also concurred with these observations and did not find any ground to upset the findings of learned ACMM.*

38. The **main contention** raised by the Petitioner is that both the parties have filed their respective Suits for Declaration in respect of the Will and once the civil litigation has been initiated, the criminal litigation is not maintainable.

39. This question whether criminal prosecution can be initiated in case where the challenge to the genuineness of the Will is pending consideration in Probate proceedings, was addressed in the case of Sardool Singh vs. Nasib Kaur, 1987 SCC (Cri) 672 wherein it was observed as under:

“2. A civil suit between the parties is pending wherein the contention of the respondent is that no will was executed whereas the contention of the appellants is that a will has been executed by the testator. A case for grant of probate is also pending in the court of learned District Judge, Rampur. The civil court is therefore seized of the question as regards the validity of the will. The matter is sub judice in the aforesaid two cases in civil courts. At this juncture the respondent cannot therefore be permitted to institute a criminal prosecution on the allegation that the will is a forged one. That question will have to be decided by the civil court after recording the evidence and hearing the parties in accordance with law. It would not be proper to permit the respondent to prosecute the appellants on this allegation when



the validity of the will is being tested before a civil court. We, therefore, allow the appeal, set aside the order of the High Court, and quash the criminal proceedings pending in the Court of the Judicial Magistrate, First Class, Chandigarh in the case entitled Smt Nasib Kaur v. Sardool Singh. This will not come in the way of instituting appropriate proceedings in future in case the civil court comes to the conclusion that the will is a forged one. We of course refrain from expressing any opinion as regards genuineness or otherwise of the Will in question as there is no occasion to do so and the question is wide open before the lower courts."

40. While referring to *Sardool Singh*, (supra) this aspect was distinguished by the Apex Court in *Kamaladevi Agarwal vs. State of West Bengal*, (2002) 1 SCC 555, by observing that *the nature and scope of civil and criminal proceedings, as well as the standard of proof applicable thereto, are fundamentally different and distinct*. The Court rejected the contention that the pendency of a civil suit before the High Court disentitled the Magistrate from proceeding with the criminal case, either as a matter of law or on the grounds of propriety. It was held that criminal proceedings must be conducted strictly in accordance with the procedure prescribed under Cr.P.C, and *the pendency of a civil action in a different court even though higher in status and authority, cannot be made a basis for quashing of the proceedings*.

41. Furthermore, in the case of *Syed Askari Haid Ali Augustine Iman and Another vs. State (Delhi Administration) and Another*, (2009) 5 SCC 528, similar question of the FIR and the Probate proceedings considering the validity of the Will, came into consideration. While advertizing to *Sardool Singh*, (supra), the Court observed that *no binding ratio could be culled out from the said decision, as the reasons for issuance of such directions or observations were not discernible therefrom. The Court held that no*



straightjacket formula can be applied and that the exercise of jurisdiction to quash criminal proceedings is discretionary and must depend on the cumulative facts of each case.

42. The law on the permissibility of parallel civil and criminal proceedings is now well settled and has been reiterated by the Apex Court in recent case of Kathyayini vs. Sidharth P.S. Reddy & Ors., 2025 INSC 818, order of the High Court which had quashed criminal proceedings involving allegations of forgery, cheating and criminal conspiracy on the ground that civil proceedings for partition and declaration were pending between the parties, was set aside. The Court observed that it would be "*unwise to rely on unverified testimony*" to ascertain the genuineness of a document and held that the High Court erred in heavily relying on such material to conclude that no offence was made out. Furthermore, it cautioned that such an approach amounts to prematurely evaluating evidence, which is impermissible at the threshold.

43. Similarly, in the most recent decision, the Apex Court in C.S. Prasad vs. C. Satyakumar and Ors., 2026 INSC 39 while referring to Neeharika Infrastructure Private Limited vs. State of Maharashtra & Ors., (2021) 19 SCC 401) and Kathyayini, (supra), reaffirmed that adjudication in civil matters and criminal prosecution proceed on different principles. It was observed that it is a settled principle of criminal jurisprudence that civil liability and criminal liability may arise from the same set of facts and that the pendency or conclusion of civil proceedings does not bar prosecution where the ingredients of a criminal offence are disclosed. It was observed that *there cannot be any general proposition that whenever dispute involves*



a civil element, a criminal proceeding cannot go on. Criminal liability must be examined independently.

44. *To sum up*, what emerges is that it is a settled position of law that the ingredients required to be established in civil proceedings and criminal proceedings, even when arising from the same transaction, operate in distinct spheres. In civil proceedings, the court is primarily concerned with the validity, enforceability of a document, to be tested on the touchstone of preponderance of probabilities. *In contrast*, criminal law is attracted only where the allegations disclose the requisite *mens rea* and the commission of an offence beyond the civil consequences of the act. The threshold in criminal law is necessarily higher, as the court is required to examine whether the act complained of was accompanied by dishonest intent since the inception.

45. Forgery, fabrication of documents and their use for wrongful gain are therefore, not mere matters of civil invalidity but constitute independent offences under the criminal law. Hence, civil adjudication regarding the validity of a document cannot preclude criminal prosecution where the ingredients of offences (*such as cheating/forgery/conspiracy herein*) are *prima facie* disclosed, as the two remedies differ in their objective, scope and standard of proof.

46. Herein, it is also pertinent to refer to *State of Haryana vs. Bhajan Lal*, 1992 Supp (1) SCC 335 where the Apex Court considered in detail the scope of powers of the High Courts under Section 482 Cr.P.C and/or Article 226 of the Constitution of India to quash the FIR and held that the High Court should not embark upon an inquiry into the merits and demerits of the



allegations and quash the proceedings without allowing the investigating agency to complete its task.

47. In furtherance, the Apex Court in *Neelharika Infrastructure*, (supra) cautioned that courts must not stifle legitimate investigation at the threshold and that *quashing should be an exception, exercised sparingly, only where the complaint or FIR does not disclose the commission of any cognizable offence.*

48. *Applying the above-mentioned principles to the present case*, the summoning Order dated 27.02.2018 is confined to examining whether a *prima facie* case was made out on the basis of the material placed before the learned ACMM, who has rightly not ventured into an evaluation of the defence set up by the Petitioner. The allegations, taken at face value, disclose that the Will dated 28.01.2008 surfaced for the first time only in the year 2014, long after the demise of Sh. Anil Rana in 2011, and after the mutation of the property as well as dismissal of revenue appeals.

49. At the stage of summoning, the Magistrate is required only to ascertain whether sufficient grounds exist to proceed and not whether the evidence is sufficient for conviction. The learned ACMM has relied upon the testimony of the Complainant, the handwriting expert, the bank officials who produced the admitted signatures of the deceased, and the Notary revealed discrepancies in identification and execution of the Will. Cumulatively, the evidence on record *prima facie* discloses the commission of offences under Sections 420, 467, 468 and 471 read with Section 120B IPC.

50. While upholding the above Order of learned ACMM, learned Special Judge rightly observed that *the factum of forging the Will in itself*



contemplates an intention to defeat right of some other legitimate persons while using such Will. It is that intention with which the Will was forged, which is relevant for constituting a forgery.

51. Furthermore, it was rightly noted that the mutation proceedings pending before the SDM are altogether distinct from civil or probate proceedings and cannot be treated as determinative of the genuineness of the Will. The filing of an Application under Section 340 Cr.P.C by the Complainant before the SDM also does not alter the character of the proceedings. *Consequently, the argument that the criminal complaint is premature or not maintainable is devoid of merit.*

52. Any challenge to the validity or reliability of the expert opinion or documentary evidence cannot be adjudicated in proceedings under Article 227 of the Constitution or Section 482 Cr.P.C. Those issues are matters of investigation to be tested during the course of criminal investigation.

53. The submission of the Petitioner that the dispute is purely civil in nature is, therefore, untenable at this stage. The existence of civil and probate proceedings concerning the validity of the Will does not eclipse the allegations of forgery, fabrication and use of a forged document for securing wrongful gain. Even if the Will is ultimately upheld or rejected in civil proceedings, the criminal liability arising from the alleged acts of forging and using the Will as genuine is required to be examined independently. To accept the contention of the Petitioner would amount to prematurely terminating a criminal prosecution at the first instance, which is contrary to the settled principles of law.

54. To accept the contention of the Petitioner, would tantamount to considering the FIR/Complaint as an encyclopaedia of all the relevant



evidence, as observed in the case of *Neeharika Infrastructure*, (supra). In fact, FIR/Complaint is only the commencement point and if the allegations are not substantiated, it would be so concluded after investigations.

55. Lastly, in this regard, reference be also made to *M.S. Sheriff & Anr. vs. State of Madras & Ors.*, AIR 1954 SC 397, referred in *Syed Askari Haid Ali Augustine Iman*, (supra) wherein the Apex Court held that “*as between the civil and the criminal proceedings we are of the opinion that the criminal matters should be given precedence*”, observing that “*a civil suit often drags on for years and it is undesirable that a criminal prosecution should wait till everybody concerned has forgotten all about the crime. The public interests demand that criminal justice should be swift and sure; that the guilty should be punished while the events are still fresh in the public mind and that the innocent should be absolved as early as is consistent with a fair and impartial trial. Another reason is that it is undesirable to let things glide till memories have grown too dim to trust.*”

Conclusion:

56. In light of the above discussion, it is held that there exists no ground for quashing the FIR at this initial stage. **There is no merit in the present Petition, which is hereby dismissed.**

57. The pending Application also stand disposed of.

**(NEENA BANSAL KRISHNA)
JUDGE**

JANUARY 20, 2026

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