News

High Court Should Not Have Quashed FIR When It Revealed The Commitment Of Offence: Supreme Court Reinstates Cheating Case



Appeal before the Supreme Court was preferred against the judgment quashing an FIR in a criminal case under Sections 420, 468, 465 and 471 of the Indian Penal Code, 1860.

The Supreme Court overruled a ruling dismissing an FIR in a criminal case and held that, since the FIR revealed the commission of an offence, the High Court should not have dismissed it merely on the ground that the complainant wanted to prosecute the Adhyaksha of the Grama Panchayat for his office.

The Appeal in the Apex Court was preferred against the order quashing an FIR in a criminal case lodged under Sections 420, 468, 465 and 471 of the Indian Penal Code, 1860.

The Division Bench consisting of Chief Justice Of India Sanjiv Khanna and Justice Sanjay Kumar stated,

> “Once an FIR is registered, the allegations made therein must be considered accordingly. Respondent no. 1, G.S. Suresh, has to respond to these allegations in the course of the investigation.”

Thus, since the FIR reveals the commission of an offence, the High Court should not have set it aside merely on the said ground.

Advocate Withdraws. AOR Aljo K. Joseph acted for the Appellant whereas Senior Advocate Kiran Suri appeared for the Respondent.
Reasoning Given the charges preferred and the rationale put forth by the High Court, the Bench said that the High Court could not have acceleratedly derailed the whole investigation on the basis that the complainant/appellant, D.B. Ravikumar, intended to prosecute the first Respondent, G.S. Suresh, simply because he was the Adhyaksha of the Grama Panchayat.

> "Such reasoning is not sustainable, especially where the High Court itself recognized the existence of some irregularities", it added, pointing out that the FIR revealed the occurrence of an offence and the High Court should not have ordered its quashing.

Therefore, putting aside the challenged judgment, the Bench granted the appeal. Cause Title: D.B. Ravikumar v. G.S. Suresh & Anr. (Neutral Citation: 2025 INSC 514) Appearance: Appellant: AOR Aljo K. Joseph, Advocates Sheikh Mohsin, Vinay Kumar Puvvala, N. Leela Vara Prasad,

Siddharth Singh Respondent:

Senior Advocate Kiran Suri, Advocates Sharanagouda Patil, Supreeta Patil, Yash, AOR M/s. S-legal Associates, AOR V.N. Raghupathy, Advocates Raghavenda M. Kulkarni, Mythili S., M. Bangaraswamy, Venkata Raghu Mannepalli, Md. Apzal Ansari, Shiv Kumar, Vaishnavi, Prakash Jadhav

Lawread