**SC Upholds Authority to Quash Proceedings Under Section 482 Cr.P.C. Based on Insufficiency of Allegations and Familial Relationships**

**Case Name:** Maneesha Yadav and Others v. The State of Uttar Pradesh and Another

**Case Number:** Criminal Appeal No. of 2024 [Arising out of SLP(Criminal) No. 8922 of 2022]

**Date of Judgment:** April 09, 2024

**Quorum:** B.R. Gavai, J.

**FACTS OF THE CASE**

Raj School of Nursing and Paramedical College, Gorakhpur, was initially permitted to admit sixty students, but this was later reduced to forty. Despite the reduction, the institute admitted sixty students. When the results for twenty students were withheld, it was revealed that these students were admitted illegally. Complaints were filed, including one by Respondent No. 2, leading to the registration of FIR No. 18 of 2015 at Police Station Kotwali, Gorakhpur. The FIR alleged that Dr. Rajaram Yadav, the Manager, Dr. Abhishek Yadav, the Director, and Dr. C. Prasad, the Principal, advertised sixty seats and induced the complainant to pay for an invalid admission. The FIR included charges under Sections 419, 420, 467, 468, 471, 406, 504, and 506 of the IPC. The three appellants, Maneesha Yadav, Dr. Poonam Yadav, and Shobhita Nandan Yadav, petitioned the High Court to quash the FIR, arguing they were not involved in the institute's management. The High Court dismissed their petition, suggesting they could apply for discharge. The Supreme Court issued an interim order to prevent coercive actions against them. The appellants claimed they had no role in managing the institute, and the Supreme Court found that the FIR did not provide specific allegations against them. The Court ruled that the proceedings against the appellants were an abuse of the legal process, as the FIR did not establish their involvement in the alleged offenses.

**ISSUES**

* Whether the FIR disclosed sufficient material to constitute the alleged offenses against the appellants.
* Whether the High Court erred in dismissing the petition under Section 482 of the Cr.P.C. for quashing the FIR.
* Whether the relationship of the appellants to the primary accused justified their inclusion in the FIR.

**LEGAL PROVISIONS**

**Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.):**

* This section grants inherent powers to the High Court to make orders necessary to prevent abuse of the process of any court or otherwise to secure the ends of justice. It is the primary provision invoked by the appellants seeking quashing of the FIR.

**Sections of the Indian Penal Code, 1860 (IPC):**

* **Section 419 (Cheating by personation):** This section deals with the punishment for cheating by pretending to be someone else or by fraudulently representing another person.
* **Section 420 (Cheating and dishonestly inducing delivery of property):** This section pertains to cheating and inducing someone dishonestly to deliver property or valuable security.
* **Section 467 (Forgery of valuable security, will, etc.):** This section deals with the offense of forgery involving valuable securities, wills, or other significant documents.
* **Section 468 (Forgery for purpose of cheating):** This section applies to forgery committed with the intent to cheat.
* **Section 471 (Using as genuine a forged document or electronic record):** This section pertains to the use of a forged document as genuine.
* **Section 406 (Criminal breach of trust):** This section involves the criminal breach of trust, where property is entrusted to someone and then misappropriated or converted to their own use.
* **Section 504 (Intentional insult with intent to provoke breach of the peace):** This section addresses intentional insults made with the intent to provoke a breach of the peace.
* **Section 506 (Criminal intimidation):** This section deals with the offense of criminal intimidation, where someone threatens another with injury to their person, reputation, or property.

 **Sections 239, 227, and 245 of the Cr.P.C.:**

* **Section 239 (Discharge):** This section allows the Magistrate to discharge the accused if the charge against them is groundless.
* **Section 227 (Discharge):** This section allows the Sessions Court to discharge the accused if there is no sufficient ground for proceeding against them.
* **Section 245 (Discharge):** This section allows the Magistrate to discharge the accused if, upon taking all evidence, no case against the accused has been made out which, if unrebutted, would warrant their conviction.

**Article 226 of the Constitution of India:**

* This article empowers the High Court to issue certain writs for enforcement of fundamental rights and for any other purpose. It was referenced in relation to the inherent powers of the High Court under Section 482 of the Cr.P.C.

**CONTENTIONS OF THE APPELLANT**

The appellants argued that they were not involved in the day-to-day management or operations of Raj School of Nursing and Paramedical College. They contended that they neither held any official positions nor had any responsibilities that connected them to the alleged illegal admissions. Specifically, Maneesha Yadav is the wife of the Director, Dr. Poonam Yadav is the sister of the Director and daughter of the Manager, and Shobhita Nandan Yadav is an employee. The appellants emphasized that their familial relationships alone did not implicate them in the alleged offenses. The appellants contended that the FIR did not contain specific allegations or evidence against them. They argued that the FIR lacked any direct accusations of inducement or fraudulent actions on their part. The only reason for their implication in the FIR appeared to be their relationship with the primary accused, which, according to the appellants, was insufficient to establish their involvement in the alleged crimes. They argued that the FIR, even if taken at face value, failed to disclose any material that constituted the alleged offenses under the IPC. The appellants asserted that the continuation of criminal proceedings against them amounted to an abuse of the process of law. They argued that the lack of substantive allegations against them indicated that the proceedings were unjust and would result in undue harassment. The appellants maintained that the High Court should have exercised its inherent powers under Section 482 of the Cr.P.C. to quash the FIR and prevent the misuse of judicial processes. The appellants argued that the High Court's suggestion to seek discharge under Sections 239, 227, or 245 of the Cr.P.C. was not an adequate remedy in their case. They contended that invoking these provisions would not address the fundamental issue that the FIR itself was baseless and did not warrant further proceedings. They emphasized that the High Court should have quashed the FIR outright, rather than directing them to seek discharge at a later stage. The appellants referenced several judicial precedents to support their contentions. They cited cases where the Supreme Court had quashed proceedings in the absence of sufficient material evidence against the accused. They argued that their case fell within the parameters set by these precedents, particularly the guidelines established in the case of State of Haryana and Others v. Bhajan Lal and Others, which outlined scenarios where the High Court could exercise its powers to quash proceedings.

**CONTENTIONS OF THE RESPONDENT**

The respondents argued that the appellants were connected to the management and operations of Raj School of Nursing and Paramedical College by virtue of their relationships with the primary accused. They asserted that Maneesha Yadav, being the wife of the Director, Dr. Poonam Yadav, the sister of the Director and daughter of the Manager, and Shobhita Nandan Yadav, an employee of the institute, had roles that implicated them in the alleged illegal activities. The respondents maintained that these relationships and roles were sufficient to include the appellants in the criminal proceedings. The respondents contended that the FIR contained sufficient allegations to warrant further investigation and proceedings against the appellants. They argued that the FIR outlined a clear case of cheating and inducement, where the complainant and other students were misled into believing that their admissions were against sanctioned seats. The respondents asserted that the appellants' connection to the management was enough to infer their involvement in the fraudulent activities described in the FIR. The respondents argued that the appellants had appropriate legal remedies available to them, such as filing for discharge under Sections 239, 227, or 245 of the Cr.P.C. They maintained that the High Court was correct in suggesting that the appellants could seek discharge if there was no sufficient ground for proceeding against them. The respondents emphasized that the process for discharge was the appropriate legal channel for the appellants to address their grievances. The respondents contended that quashing the FIR at the initial stage would be premature and unwarranted. They argued that the investigation should be allowed to proceed to gather evidence and determine the extent of the appellants' involvement. The respondents cited judicial precedents where courts have held that the defense of the accused cannot be considered at the stage of quashing an FIR and that the investigation should not be stifled prematurely. The respondents referred to several judicial precedents to bolster their argument that the FIR should not be quashed prematurely. They highlighted cases where the courts have emphasized the importance of allowing the investigation to proceed and have cautioned against quashing FIRs without a thorough examination of the allegations and evidence. The respondents asserted that the allegations in the FIR, if taken at face value, justified an investigation and potential prosecution.

**COURT’S ANALYSIS ANS JUDGEMENT**

The respondent contended that there existed a prima facie case against the appellants based on the allegations in the FIR. They argued that the appellants, being close relatives of the management officials of Raj School of Nursing and Paramedical College, were implicated in the illegal admissions scandal. Specifically, Maneesha Yadav is the wife of the Director, Dr. Poonam Yadav is the sister of the Director and daughter of the Manager, and Shobhita Nandan Yadav is an employee of the institute. The respondent emphasized that these familial ties indicated a potential role or knowledge of the illegal admissions, thus justifying their inclusion in the FIR. The respondent argued that familial relationships were relevant in determining the involvement of the appellants in the alleged offenses. They contended that as close relatives of the management officials, the appellants could have had knowledge of or benefited from the illegal admissions scheme. They asserted that familial proximity suggested a level of complicity or knowledge that warranted their inclusion in the criminal proceedings. In response to the appellants' plea for quashing of the FIR under Section 482 of the Cr.P.C., the respondent argued that the High Court correctly exercised its jurisdiction. They contended that the High Court's decision not to quash the FIR was based on established principles that discourage premature interference in ongoing criminal proceedings. The respondent emphasized that the appellants had alternative remedies, such as applying for discharge under Sections 239, 227, or 245 of the Cr.P.C., which would be more appropriate at a later stage of the proceedings. The respondent asserted that the allegations in the FIR provided sufficient grounds for prosecution against the appellants. They argued that the allegations of inducement, fraudulent admissions, and misuse of authority were serious and required further investigation and legal proceedings. They maintained that the FIR, when taken at face value, disclosed adequate material to establish the commission of offenses under various sections of the IPC. The respondent referenced legal precedents to support their arguments regarding the jurisdiction of the High Court and the sufficiency of allegations in the FIR. They cited cases where courts upheld the continuation of proceedings based on initial allegations until sufficient evidence or legal arguments warranted otherwise. They argued that the principles laid down in these precedents supported the ongoing prosecution against the appellants based on the allegations made in the FIR.

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Judgement Reviewed by- Shruti Gattani