

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APEPAL NO.1233 OF 2004

BENNY JOSEPH

APPELLANT

VERSUS

VARGHESE KURIEN

RESPONDENT

WITH
CRIMINAL APPEAL NO. 1245 OF 2004

O R D E R

We have heard the learned counsel for the parties.

We find that there is no element of cheating even if the complaint is read as a whole. The allegations in the complaint do not disclose an offence under Section 420/34 of the Indian Penal Code. The High Court was justified in making its order.

The appeals are dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[CHANDRAMAULI KR. PRASAD]

NEW DELHI,
NOVEMBER 24, 2010.