

**SUPREME COURT OF INDIA**

Ajay Mehra

Vs.

Durgesh Babu

Crl.A.No.201 of 2001

(G. B. Pattanaik and U. C. Banerjee JJ.)

16.02.2001

**ORDER**

The Text below is only a summarized version of the order pronounced

On basis of complaint alleging commission of offence under Section 406 and 420 Magistrate took cognizance and issued processes. On reconsideration of matter Magistrate concluded that there was no infirmity in issuing process for offence under Section 406. On appeal Supreme Court held that there was no error in taking cognizance of offence but it was open for appellants while framing charges to argue whether materials permit framing of charge in the case in hand.