

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

Date of Reserve: 09th July, 2010

Date of Order: August 03, 2010

+ W.P.(Crl.) No.1008/2010 & Crl.M.A.No. 8447-8448/2010

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03.08.2010

Shri Anil Anand & Ors.

... Petitioners

Through:Mr. M.Dutta, Advocate

Versus

State & Anr.

... Respondents

Through:Mr. Ranjit Kapoor, ASC for State
With Mr. Asim, Advocate

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

JUDGMENT

Present petition has been filed by the petitioners for quashing of FIR No. 40/09 registered against the petitioners under Section 420/465/468/471 IPC at PS Sector 55, Faridabad (Haryana). It is petitioners' own case that this FIR was registered on 21st January, 2009 and thereafter investigation was conducted by police of Faridabad and a report was filed by the Investigating Officer that no offence was committed by the petitioners. A copy of report dated 11th May, 2009 in Hindi with English translation has been placed on record wherein it is categorically stated that the matter related to Company Law Board and had nothing to do with IPC and there was no substance found in the complaint. It is submitted that after filing of this report

and agreeing that the matter related to Company Law Board, a fresh investigation was started and petitioners were summoned on 15th May, 2010, a prayer is therefore made that the above FIR should be quashed or in the alternative a writ of mandamus should be issued directing transfer of the from Faridabad Police to Delhi Police. Faridabad Police and other investigating agencies of Haryana should be restrained from taking further steps in the complaint.

In view of the admitted position stated by the petitioners that the investigation in this case was completed by one Investigating Officer and a report was filed that no offence was made out, if any other investigating officer of PS Sector 55 Faridabad was acting illegally, the petitioner should approach High Court of Punjab & Haryana against such illegal act of police official of Faridabad; Delhi High Court had no jurisdiction over illegality being committed by the police official of Faridabad, neither this Court has power to transfer investigation pending in another State to Delhi. This power is vested only in Supreme Court.

I, therefore find no force in this petition. The petition is hereby dismissed.

August 03, 2010
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SHIV NARAYAN DHINGRA, J.