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

+ W.P.(CRL) 2379/2015

VISHAL NARULA

..... Petitioner

Through: Petitioner in person.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.Ashish Aggarwal, A.S.C. for the
State.

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

22.03.2016

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1. The petitioner has invoked the extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India with the following prayers:-

(i) to issue summons without any delay to the concerned SHO and his senior officer i.e. ACP/DIU, West Unit at MIG Flats Police Chowki, Rajouri Garden, Delhi to appear in person before this Court alongwith the complete record of FIR No.1107/2014 dated 9.10.2014 of PS Janak Puri, Delhi to unearth the truth with regard to the illegal investigation initiated by them by providing the shortest date and to summon any other required record from the concerned Court.

(ii) to issue directions to the Commissioner of Police of Delhi or concerned authority as deemed fit by this Court as well as to take a decision in this matter with regard to the fact that whether there is necessity to change the IO of the present matter or not.

(iii) to take strict action against the corrupt officials who wilfully and deliberately indulge in the illegal activities and are danger at large for the complainant as well as for the society.

2. The petitioner is complainant in case FIR No.1107/2014 under Section 120-B/420/468/471 IPC registered at PS Janak Puri. In para 2 of the petition, the petitioner has mentioned that he has annexed the copy of the FIR with this petition as Annexure-P1 which was extracted by him from internet. It is further stated that the FIR contained the similar facts/wordings which were submitted by him in his initial complaint filed before the concerned SHO on 01.07.2014 against which the concerned CMM passed the directions under Section 156(3) Cr.P.C. on 29.09.2014.

3. Status report has been filed by Asstt. Commissioner of Police, DIU/West, New Delhi.

4. In the status report, in the first paragraph, it is mentioned as under:-

'Sh.Vishal Narula has briefly alleged in his complaint that his real Aunt Madhu Narula W/o Late Balwant Rai Narula R/o B-1/602, First Floor, Janak Puri, Delhi has used forged and false documents bearing forged signatures of Smt.Raj Rani (grandmother of petitioner) for purchase of First Floor of B-1/602, Janak Puri, Delhi on Agreement to Sell and Purchase etc. dated 18.03.1997. Presently the possession of the first floor of the said property is with Madhu Narula.'

5. In the status report, details of the investigation conducted till the date of filing of the status report has been given. It is also mentioned that the documents i.e. cash receipt (signature in original ink) and photocopy of possession letter bearing Hindi admitted signatures of Late Smt.Raj Rani have been sent to FSL/Rohini for opinion of the handwriting expert. Further original affidavit dated 18.03.1997 of Raj Rani bearing her signature in

Hindi regarding sale of first floor of property No.B-1/602, Janak Puri, New Delhi to Madhu Narula have also been sent to FSL/Rohini for obtaining opinion of the handwriting expert.

6. After giving details of the investigation conducted so far and the documents, the opinion in respect of which is still awaited, it is mentioned that the investigation can be concluded after receiving the opinion of the handwriting expert from the FSL.

7. The conduct of the petitioner has also been mentioned in the status report as under:-

'The petitioner Vishal Narula has already made baseless complaints against the judiciary (in the present petition) against the Judiciary namely (1) Hon'ble Justice Sunil Gaur (2) Ms.Rekha Rani, District Judge/West (3) Sha.Sanjay Jindal, ASJ/West, (4) Sh.V.K.Bansal, ASJ (5) Sh.Rakesh Kumar, ASJ (6) Ms.Sugandha Aggarwal, CMM/West. Petitioner has also made complaint against all the previous IOs as well as the present IO of the case including the supervisory, senior officers. He has also file a Crl.M.C. No.1496/15 against the Administrative orders of Hon'ble CMM/West Delhi in Delhi High Court which is also pending. Moreover, civil litigations of petitioner and his family (alleged persons & ors) are also pending. Status report regarding the investigation been conducted in the above case is submitted in the Court of Ms.Sugandha Aggarwal, CMM/West on regular basis. The Hon'ble Court of Sh.V.K.BAnsals, ASJ/West has accorded anticipatory bail to Smt.Madhu Narula and Dayal Chand.'

8. In this writ petition, the sequence of events right from the stage of filing of the complaint till date have been mentioned and each and every order passed at different stages by different Courts as well the status reports filed from time to time have been adversely commented upon by the petitioner.

9. The opening para of the petition starts as under:-

'That the petitioner is law abiding and peace loving citizen of

India and having regard to the law of land but due to the illegal activities of the concerned corrupted police officials as well as illegal functioning of concerned courts feel much aggrieved, unsecured and helpless person on the law of land and again expecting justice from the hands of a justice with prompt and timely relief on the law of land against which the petitioner constrained to file the present petition due to the illegal functioning of the lower authorities.'

10. Paragraph 17 of the writ petition reads as under:-

'That the petitioner undertakes that he have not filed any similar matter for present relief against the State in any Court of law and it is submitted that already a petition bearing No.Crl.M.C. No.796/13 is pending before this Hon'ble Court which is with regard to another matter as well as petition bearing Crl.M.C. No.1496/2015 is also pending before this Hon'ble Court with regard to the fact that the concerned CMM fails to monitor the investigation with regard to FIR no.1107/2014. It is submitted here that the petitioner is already aggrieved person from the hands of Justice Sunil Gaur of Hon'ble High Court of Delhi with regard to Crl.M.C. No.796/13 and the fact with regard to the harassment of the petitioner are already on said file as well as with regard to the said MC the said justice of Hon'ble High Court of Delhi fails to consider the verbal and written filed submissions of the petitioner on 17.04.2015 with regard to the urgency of the matter and passed a mala fide order and caused a long adjournment.'

11. In para 18 also certain observations have been attributed to the learned Presiding Officers.

12. The litigation between the petitioner, who is complainant in FIR No.1107/2014 under Section 120-B/420/468/471 IPC registered at PS Janak Puri, and Smt.Madhu Narula – his Aunt is over first floor of Property No.B-1/602, Janak Puri, New Delhi. The interest of Madhu Narula in Property No.B-1/602, Janak Puri, New Delhi is claimed on the basis of documents

which the petitioner is claiming to be forged and fabricated. The investigation in this regard had already been conducted and documents have been sent to FSL for opinion. The matter is being investigated by ACP, DIU/West, New Delhi. The investigation is yet to be concluded as FSL result on the questioned documents is awaited.

13. The prayers made in this petition are in fact with a view to get the investigation monitored by this Court as well for change of the Investigating Officer though the investigation is complete except awaiting the FSL result and the effect thereof.

14. The petitioner has painted all the police officers as corrupt and is aggrieved by various orders passed by the Court. This writ petition has been filed perhaps with a view to pressurise the investigating agency as well the Court dealing with the matter at different stages.

15. The investigation has already been conducted and monitored by Assistant Commissioner of Police, District Investigation Unit/West, New Delhi. No direction is required to be passed in this matter.

16. The writ petition is dismissed

PRATIBHA RANI, J.

MARCH 22, 2016

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