

\$~44.

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

+ W.P.(CRL) 510/2017 and CrI. M.A. Nos.2707-708/2017

ANISH GARG

..... Petitioner

Through: Mr. Sandeep Kumar & Mr. Sachin
Gupta, Advocates along with
petitioner in person.

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: Ms. Richa Kapoor, ASC for the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
15.02.2017

%

The petitioner has preferred the present writ petition to seek a direction to the State to complete the preliminary enquiry within a reasonable period, and if the enquiry discloses commission of cognizable offence, to register a First Information Report on the basis of the petitioner's complaint contained in Annexure – P8.

Such a petition is not maintainable before this Court since the petitioner has the remedy of approaching the Magistrate's Court under Section 156(3) Cr.P.C.

Ms. Kapoor, who appears on advance notice, submits that the

petitioner has not provided the stamped copy of the agreement, which the petitioner claims was forged and fabricated document provided to the petitioner by the accused persons.

The photocopy of the said document placed on record bears the stamp as well as the signatures of some person allegedly of respondent No.3.

Ms. Kapoor states that the State shall carry out the further preliminary inquiry in the case on the basis of the documents filed along with the petition.

In any event, if the petitioner is still aggrieved on account of inaction on the part of the petitioner, it shall be open to the petitioner to approach the Magistrate under Section 156(3) Cr.P.C.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

FEBRUARY 15, 2017

B.S. Rohella