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

+ **CRL.M.C. 3042/2016**

HITESH KOTHARI

..... Petitioner

Represented by: Mr. Tanmaya Mehta, Advocate
with petitioner in person.

versus

STATE & ORS

..... Respondents

Represented by: Mr. Ravi Nayak, APP for the
State with SI Pritosh Rathee,
PS Kirti Nagar, SI Kishan Lal,
PS Tilak Nagar.
Mr. Niranjana Singh and Mr.
Rajiv Singh Pilonia, Advocates
for respondent Nos. 2 and 3.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
29.03.2017

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1. During the course of arguments on 22nd March, 2017 before this Court learned counsel for the petitioner highlighted that there were three sets of transactions for which different complaints were filed by the petitioner against the accused persons. Quia the first transaction FIR No.313/2014 was registered at PS Kirti Nagar pursuant to directions under Section 156 (3) Cr.P.C. Before any direction could be passed under Section 156 (3) Cr.P.C. on the second transaction the Investigating Officer/SHO, PS Kirti Nagar stated that they are investigating the second transaction also as part of FIR No.313/2014. The third complaint filed by the petitioner related to the alleged cheating for a sum of ₹2.01 crores which was shown as a gift in the
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Gift Deed purportedly executed by the petitioner on a non-judicial stamp paper bearing No.R-218700.

2. Though the allegations of forgery of this Gift Deed was already been investigated in FIR No.313/2014 pursuant to the second complaint, however, the aspect of cheating for a sum of ₹2.01 crores was not being investigated.

3. A status report has been filed by the SHO, PS Kirti Nagar, as per which since further investigation is going, allegations in respect of cheating, if any, of a sum of ₹2.01 crores shall also be investigated as part of further investigation in FIR No.313/2014 under Sections 420/406/467/468/471/34 IPC registered at PS Kirit Nagar, Delhi.

4. In view of this status report filed by the SHO, PS Kirti Nagar, learned counsel for the petitioner, on instructions from the petitioner, who is present in Court states that he does not press the present petition.

5. Petition is dismissed. It is hoped and expected that the Investigating Officer shall conclude the investigation expeditiously.

MUKTA GUPTA, J.

MARCH 29, 2017

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