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

+ W.P.(CRL) 1311/2017

DR PRAYASH THAKUR

..... Petitioner

Through: Mr. Mukul Gupta, Sr. Adv. with Mr.
Tushar Gupta, Adv.

versus

STATE

..... Respondent

Through: Ms. Kamna Vohra, ASC
SI Amit Dutt, P.S. Lajpat Nagar

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **03.05.2017**

CRL.M.A.7301/2017

Exemption allowed, subject to all just exceptions.

Application is disposed of.

W.P.(CRL) 1311/2017

The present writ petition has been filed seeking direction to the State to take action on the complaint of the petitioner against certain persons who have been cheating people under the garb of providing consultancy services for preparing and appearing in medical examination all over the country.

It has been submitted by the learned counsel for the petitioner that the petitioner and several others have been duped by their false assurances. It has been further submitted that the modus operandi of the accused persons is to extract money from the students by whatever means, then going underground, only to resurface later.

This writ petition was filed at the time when the complaint of the petitioner was not acted upon.

Ms. Kamna Vohra, learned Additional Standing Counsel submits that on the basis of the complaint lodged by the petitioner, FIR bearing No.202/2017 dated 02.05.2017 (P.S. Lajpat Nagar) was registered yesterday against Alok Kumar Sinha, Priyanka Sinha, Abhishek Verma and Niwas Raj Jivaji for offences under Section 420 with the aid of Section 34 of the IPC.

Learned counsel for the petitioner, on coming to know of the lodging of the present FIR submits that the management of the medical college, at whose behest, such acts have been committed by the accused persons, has not been made accused.

The prayer in the writ petition is for directing the State to take action against the complaint of the petitioner and for handing over the investigation to either the Crime Branch and EOW, as these two agencies only could investigate offences of this kind.

Since the FIR has been registered only yesterday, it would be difficult for this court to presume that the police would not investigate the case properly. The powers to investigate this case vests with the police.

In case the FIR is not investigated properly, it would be open for the petitioner to approach this court to seek such direction.

With this observation, the writ petition is disposed of.

ASHUTOSH KUMAR, J

MAY 03, 2017

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