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

+ **W.P.(CRL) 384/2017**

PRAHLAD GUPTA

..... Petitioner

Represented by: **Mr. Sandeep Kumar and Mr. Sachin Kumar, Advocates.**

versus

GOVT OF NCT OF DELHI & ORS

..... Respondents

Represented by: **Mr. Avi Singh, Additional Standing Counsel for State with Mr. Sashank Vachher, Advocate with SI Sonu, PS S.P. Badli. Mr. Vikrant Mittal, Advocate for respondent No.2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.03.2018

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1. In the present petition, prayer of the petitioner is proper investigation of FIR No. 1481/2014 under Sections 420/468/471/120B/34 IPC registered at PS Samaipur Badli, Delhi and expeditious culmination thereof.

2. On a notice being issued status reports have been filed by the SHO. As per the status report the above noted FIR was registered pursuant to directions under Section 156 (3) Cr.P.C. on the complaint of Shiv Kumar Srivastava, respondent No. 2 herein. In the complaint, the complainant alleged that in the month of May, 2010 he had purchased a plot measuring 97 sq. yards bearing No. 1265, Rana Park Siraspur, Delhi from Smt. Sunita Goel with the help of mediator Ashok Aggarwal. In the month of

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November/December, 2010 the complainant requested Ashok Aggarwal for the sale of the said plot as he was in need of money for the marriage of his daughter. Ashok Aggarwal assured the complainant that he would get the plot sold soon but he did not do so and did not find a suitable buyer. Thereafter Ashok Aggarwal suggested to the complainant that he should exchange his plot with the plot of one Prahlad Gupta, that is, the present petitioner, measuring 150 sq. yards situated in Singhu village whereafter the said plot could be sold immediately. The complainant was introduced to Prahlad Gupta, by Ashok Aggarwal. After seeing the plot of the petitioner at Singhu Village, the complainant agreed to exchange the plot. In this regard certain documents were got signed by Ashok Aggarwal however, as the complainant insisted on execution of the documents the matter lingered on. Later Ashok Aggarwal and the petitioner handed over the complainant documents of the plot at Singhu Village which was in the name of one Anju Devi. The complainant was represented that Prahlad Gupta had actually purchased the plot from Anju Devi and thus he got the documents executed directly in the name of the complainant from Anju Devi. Thereafter when the complainant again insisted on selling the said plot Ashok Aggarwal started dilly-dallying the matter. When the complainant asked Ashok Aggarwal and Prahlad Gupta to get the plot identified and demarcated, they did not pay any heed and later when the complainant was trying to raise the boundary wall, other people came claiming themselves to be the owner of the plot.

3. Investigation in the above noted FIR is being conducted. Statements of the complainant and other witnesses have been recorded. The sale deed

allegedly executed by Smt. Anju Devi in favour of the complainant was signed and thumb marked by Ashok Aggarwal and the same has been sent for the opinion of the FSL.

4. As per the status report as and when FSL report is received, charge sheet will be filed.

5. Considering the nature of allegations, that investigation is being carried out and conclusion thereof is awaited for want of FSL report, this Court does not find it to be a case for any further directions to the Investigating Agency except that the investigation be expedited and a report on conclusion of the investigation be filed immediately on receipt of FSL report.

6. Petition is dismissed.

MUKTA GUPTA, J.

MARCH 06, 2018

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