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

+ **W.P.(CRL) 1158/2019**

AMIT SRIVASTAVA & ORS.

..... Petitioners

Through Mr Yogesh Swaroop, Mr Surresh Pal
Berma, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through Mr T.P. Sing, Senior Standing Counsel
for R1.

Mr Jamal Akhtar, Standing Counsel
GNCTD.

Inspt. Bhupender Kumar, EOW.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.08.2019

1. The petitioners have filed the present petition, *inter alia*, praying for transfer of the investigation in FIR No. 0115/2017, registered at Police Station EOW, Delhi to Central Bureau of Investigation or some other competent authority. According to the petitioners, the EOW is not investigating the allegations made in the FIR.
2. It is the petitioners' case that they had booked residential units in a project known as AVJ Heights, located in Greater Noida. The petitioners allege that the developers/promoters of the said project had sold the residential flats in the said project to multiple parties. In addition, the said persons have also mortgaged the flat in question with banks. In this manner,

the petitioners claim that they have been cheated.

3. The status report has been filed which indicates that the EOW has undertaken investigation in the complaint made by the petitioners. The EOW had obtained the necessary details regarding AVJ Developers India (Private) Limited and proceedings had been initiated against the directors/promoters. It is also pointed out that efforts had been made to apprehend the promoters of the said company, however, they are absconding and proceedings under Section 82/83 of the Code of Criminal Procedure, 1973 have also been initiated.

4. In view of the above, this Court is unable to accept the petitioners' grievance that their complaint is not being investigated. This Court finds that there is no requirement for transfer of the said case from EOW Cell.

5. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

AUGUST 26, 2019

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