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

+ **W.P.(CRL) 2263/2019**

M/S. PAV REALTY LTD.

..... Petitioner

Through: Mr Giriraj Subramaniam and Mr
Simarpal Singh Sawhney, Advocates.

versus

STATE & ANR.

..... Respondents

Through: Mr Avi Singh, ASC for the State with
Mr Tanuj Bhadana and Mr
Divyanshu, Advocates.
SI Mukesh, PS Barakhamba Road.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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30.08.2019

1. The petitioner has filed the present petition, *inter alia*, impugning notices dated 17.09.2012 and 05.10.2012 (collectively referred to as 'the impugned notices') issued under Section 91 of the Code of Criminal Procedure, 1973 (Cr.P.C). The impugned notices were issued to the petitioner directing the petitioner not to transfer the title of the property/shop booked by Mrs Anju Aggarwal (wife of Mr Ravi Prakash Aggarwal). It is stated that Mr Ravi Prakash Aggarwal is accused in an FIR bearing No. 96/2012 under Sections 420/468/467/471 of the Indian Penal Code, 1860 (IPC).

2. The status report has been filed wherein it is unequivocally stated that the concerned Investigating Officer had no jurisdiction to issue notices restraining the petitioner from transferring or alienating any property. It is also seen that a chargesheet has subsequently been filed against the accused

(Mr. Ravi Prakash Agarwal) under Sections 420/468/467/471/409/406 of the IPC.

3. In the aforesaid view, the impugned notices issued by the concerned Investigating Officer, in any event, do not survive.

4. With the aforesaid clarification, no further orders are required to be passed in this petition.

5. Mr Handoo, learned counsel appearing for the complainant submits that the complainant's interests are required to be protected. In this regard, it is clarified that the complainant is not precluded from instituting any appropriate action or taking such steps for protecting its interests, as advised.

6. The petition is disposed of.

VIBHU BAKHRU, J

AUGUST 30, 2019
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