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

+ W.P.(CRL) 2413/2018

MATRIX INFOSYS

..... Petitioner

Through: Mr Rajeev Lochan, Advocate.

versus

KARNATAKA STATE OPEN UNIVERSITY
& ORS

..... Respondents

Through: Ms Kamna Vohra, ASC for State with
SI Ravi Yadav, PS Malviya Nagar.
Mr Apoorv Kuru, Ms Upama
Bhattacharjee and Mr Sidharth,
Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.12.2019

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued for investigation to be carried out by an appropriate criminal agency in order to identify the various persons involved in the conspiracy.
2. The petitioner claims to be a Coordinator, who was appointed by the respondent no.1 (Karnataka State Open University – KSOU) for enrolling students to its distance learning programme. It is the petitioner's case that there were 110 study centres under the Karnataka State Open University Distance Learning Programme. It is alleged that the said centres had been opened and students were enrolled, on a false representation that the said distance learning programme, was recognised. It is alleged that it

subsequently transpired that the said programme is not recognised and respondent no.1 had no recognition to conduct such programmes.

3. This Court by an order dated 09.07.2019 noted that despite the petitioner joining the investigation and the anticipatory bail of the accused, namely, M. G. Krishnan and P. S. Naik having been dismissed, no efforts have been made to arrest them. The Court had also noticed that the investigation had not been conducted in regard to the trail of the funds collected from the students. The investigation agency was directed to file a status report.

4. A status report, under the signatures of the Joint Commissioner of Police, has been filed. It is reported that as per the Memorandum of Understanding executed between the petitioner and KSOU, 75% of the fee was appropriated by the study centres (including the petitioner), and 25% of the fees was deposited with KSOU. It is also reported that the respondent has provided list of 1436 students that were enrolled with the study centre. KSOU has also provided list of 1695 students and the details of the demand draft paid by the complainant (petitioner).

5. In view of the above, it is apparent that necessary investigations are being undertaken by the Investigating Officer. It is stated that a charge sheet had already been filed and a supplementary charge sheet may be filed. In this view, this Court finds no reason to transfer the investigation to any other agency.

6. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

DECEMBER 05, 2019/MK