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

+ **W.P.(CRL) 78/2020**

AMIT KUMAR @ SHAYM SINGH

..... Petitioner

Through Mr Vijay Kinger Ms Roopa Nagpal,
Advocate with petitioner in person.

versus

STATE

..... Respondent

Through Ms Nandita Rao, ASC Crl for State.
Insp. Ramesh Prasad Singh, ATO/P.S.
M.S. Park.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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13.01.2020

CRL.M.A. 462/2020

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(CRL) 78/2020

3. The petitioner has filed the present petition, *inter alia*, praying as under:-

“Direct the concerned IO of the subject FIR No. 160/2012, P.S. Mansarovar Park, Delhi to complete the pending investigation, if any within a definite time frame and file the charge-sheet before the concerned Court.”

4. FIR No. 160/2012 was registered against the petitioner on 04.09.2012

and the petitioner was made an accused therein. The said FIR was registered at the instance of Naveen Kumar Sharma and Manish Kumar Sharma (the complainants). The complainants claimed that they are owners of the suit property bearing No. 1/A, 4639 Ram Nagar Extension, Delhi. They claimed that they have inherited the said property from their grandmother, Smt Bhagwati Devi, in terms of a will dated 07.08.2008. They had alleged that the petitioner, who is accused in the said FIR, had forged her GPA and SPA regarding the property and had been falsely claiming interest in the property in question. Thus, the principal dispute in the present case is whether the documents set up by the petitioner are, in fact, forged.

5. Ms Rao, learned ASC states that the petitioner had submitted a Memorandum of Settlement stating that he had resolved the disputes with the complainants. She further states there would be no difficulty in completing the investigation and filing a final report, provided the original of the documents in question are submitted to the Investigating Officer (IO).

6. The learned counsel appearing for the petitioner submits that all the originals of the relevant documents such as the GPA, SPA, etc. have already been submitted by the petitioner in another case. He states that the petitioner would provide the complete details of the same to the IO in the present case.

7. Significant time has elapsed since the aforesaid FIR was lodged and there is considerable merit in the petitioner's grievance that a final report ought to have been filed.

8. In view of the above, the present petition is allowed and the IO is directed to complete the investigation as expeditiously as possible and preferably, within a period of two months from today and file a final report.

9. The petitioner shall appear before the IO on 17.01.2020 at 10.30 a.m.

and provide all the necessary details of the case and the name of the IO (of that case) to whom the originals of the documents in question have been handed over. If the originals of the documents have not been handed over as contended, the petitioner shall ensure that the same are handed over to the IO on that date.

10. The petition is allowed in the aforesaid terms.
11. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

JANUARY 13, 2020

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