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

+ **W.P.(CRL) 295/2020 & CRL.M.A. 2214/2020**

JAGANATH D. PARKHI

..... Petitioner

Through: Petitioner in person.

versus

SUPINTENDENT OF POLICE - CBI SPECIAL
CRIME BRANCH - LODHI ROAD, DELHI 3

..... Respondent

Through: Mr Anupam, S. Sharma, SPP CBI
with Mr Prakarsh Airan, Advocate for
CBI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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31.01.2020

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

“a) Writ Petition under Article 226 of Constitution of India read with Section 482 Code of criminal Procedure 1972 praying this Hon'ble court may please be allowed and pass necessary orders thereby direct the Respondent to produce original F.L.R. duly registered u/s 154 Cr.P.C. at the Police station in R.C.(S)/98 SCB-II/C.B.L/Delhi dated 28.8.98 under section 420, 468, 4711.P.C. registered in the C.B.I. Office Delhi against the Petitioner.

b) Name of the Police station and Crime number of the offence under I.P.C. may please be declared.

c) Considering authentic record of the Home Ministry (Judicial wing). Government of India and the C.B.I, reply as well confirmation reply of the C.M.M. Court, Delhi consequential criminal prosecution in C.C., No.301 and

C.C.No.302 in R.C.2 (s)/98 SCB-II C.B.I.. before the Beamed A.C.M.M. Court No.205 Rouse Avenue Delhi may kindly be quashed.

d) Any other appropriate writ, order or direction in the like nature be issued thereby declaring the action of the in maliciously prosecuting the petitioner in a false and frivolous case as illegal and thorough enquiry and investigation be directed by the C.B.I. Delhi against officers involved.”

2. This is yet another attempt by the petitioner to impugn FIR No. R.C.(S)/98 SCB-II/C.B.I./Delhi dated 28.08.98 under Sections 420/468/471 of the IPC registered with the CBI Office Delhi. The petitioner has been filing repeated petitions seeking a similar relief. The last petition [W.P.(C) 3416/2019] filed by the petitioner was dismissed by this Court by an order dated 06.12.2019. The said order dated 06.12.2019, is reproduced below:-

“1. The petitioner has filed the present petition, *inter alia*, praying that FIR bearing no. R.C.(S)/98 SCB-II/C.B.I./Delhi dated 28.08.1998 under Sections 420/468/471 of the IPC registered by CBI against the petitioner and all proceedings emanating therefrom, be quashed.

2. It is seen that the petitioner had also filed similar petitions in the past.

3. The learned counsel appearing for CBI has drawn the attention of this Court to an order dated 12.05.1999 passed by this Court in Crl. W.P. No. 450/1999, wherein this Court had rejected the petition seeking quashing of the FIR in question as being unmerited. The petitioner had once again filed a writ petition being Crl. W. 859/2002 seeking a similar prayer. The said petition was also dismissed by the Division Bench of this Court on 20.01.2003 noting that the petitioner had filed an earlier writ petition seeking similar relief.

4. The petitioner had filed another petition, Crl. M.C. No. 1524/2006 seeking quashing of the proceedings. However, on 05.12.2007, the said petition was dismissed as withdrawn. This Court is informed that two charge sheets have been framed and evidence is being recorded in respect of the alleged offences.

5. In view of the above, this Court does not consider it apposite to entertain the present petition. The petition is, accordingly, dismissed.

6. All the pending applications are also disposed of.

7. It is clarified that all rights and contentions of the petitioner are reserved.”

3. The petitioner, who appears in person, states that since by virtue of the abovementioned order all rights and contentions of the petitioner were reserved and thus, he has filed this petition seeking to reagitate the matter. The import of reserving all rights and contentions of the petitioner was to clarify that he was not precluded from urging all his defences on merits. Clearly, it would not be permissible for the petitioner to file yet another petition, in effect, seeking the same relief.

4. The petition and pending application are, accordingly, dismissed.

VIBHU BAKHRU, J

JANUARY 31, 2020

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