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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1695/2024 & CRL. M.A. 16488/2024, 16489/2024**

MANOHAR LAL

..... Petitioner

Through: Mr. Anil Goel, Advocate.

versus

STATE N.C.T. OF DELHI

..... Respondent

Through: Mr. Sanjeev Bhandari, ASC (Crl.)
with Ms. Anvita Bhandari, Mr. Kunal
Mittal, Ms. Charu Sharma, Mr. Arjit
Sharma and Mr. Vaibhav Vats,
Advocates for State alongwith SI
Sunil Nath PS Rani Bagh.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

27.05.2024

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1. By way of present petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., the petitioner seeks directions to the respondent to take appropriate action in respect of the complaint dated 06.04.2024 filed by him.

2. A perusal of the petition would show that the petitioner claimed himself to be owner of Maruti Suzuki Ertiga car having Registration No. DL2CAZ6814. It is further claimed that in January 2024, the accused *Radhey Shyam*, son of *Late Shri Krishan Lal*, expressed his intention to purchase the said car and offered to pay a sum of Rs.8 lacs as sale consideration. The sale consideration, however, was promised to be paid later. Simultaneously, a lease-cum-purchase agreement dated 10.02.2024 came to be executed between the complainant and *Radhey Shyam*. The



petitioner claims that the lease rental was fixed at Rs.32,000/- per month. It is further claimed that the complainant had received a sum of Rs.77,000/- till the date of filing of the complaint, however, the balance amount of consideration remained unpaid. Consequently, *Radhey Shyam* issued a cheque bearing No.000002 dated 22.02.2024 for an amount of Rs.2,50,000/- towards part-payment of sale consideration. The said cheque, when presented for encashment, was dishonoured. It is further claimed that the complainant has come to know that some traffic challans have also been issued w.r.t the said car for the violation committed by the *Radhey Shyam*.

Essentially, in these facts the petitioner seeks directions for registration of a case against *Radhey Shyam* as well as seek remedy for the traffic challans.

3. It is no longer *res integra* that in terms of the Supreme Court decision in Sakiri Vasu v. State Of U.P. & Ors. reported as (2008) 2 SCC 409, filing of the writ petition is not the remedy to be pursued for registration of a criminal case/FIR. The petitioner may approach the concerned Court with appropriate petition in accordance with law, if so advised. Insofar as issuance of traffic challans is concerned, the petitioner would contest the same before the appropriate court.

4. In view of the above, the instant petition is disposed of along with pending applications in above terms.

MANOJ KUMAR OHRI, J

MAY 27, 2024/rd