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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1892/2024 & CRL.M.A. 18341/2024**

RISHABH JAIN

..... Petitioner

Through: **Mr. Prabhat Kaushik and Mr. Lakhan Singh, Advocates.**

versus

STATE OF NCT OF DELHI & ORS.

..... Respondent

Through: **Mr. Sanjeev Bhandari, ASC, alongwith Ms. Anvita Bhandari, Ms. Charu Sharma, Mr. Arijit Sharma, Mr. Vaibhav Vats.**

CORAM:
HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER
19.06.2024

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1. The present petition is filed under Article 226/227 of the Constitution read with section 482 Cr.P.C for issuance of direction to the respondents no.1 and 2, not to take any coercive action against the petitioner and also to investigate the case arising out of FIR bearing no.0284/2024 dated 01.05.2024 registered at P.S. Aman Vihar in accordance with law. The petitioner has made the following prayer:

- i) to not to take any coercive action against the Petitioner, no need to file a separate application;**
- ii) to implead directors of Respondent No.3 in**



investigation who are party to FIR and has information regarding the case;

iii) to not to force Petitioner to handover his original documents until investigation is completed with the main accused in the FIR namely DHFCL NOW PCHFL;

iv) to conduct a fair investigation in case bearing FIR No. 284/2024 dated 01 .05.2024 P.S. Aman Vihar, Delhi as per law;

v) pass such other and further order as this Hon 'ble Court may deem fit and proper in the interest of Justice.

3. The FIR bearing no. 0284/2024 was got registered on the complaint of Hariom Jindal on the allegation as stated in the FIR. However in the FIR the petitioner is not implicated as one of the accused. The counsel for the petitioner stated that the petitioner is receiving the notice under section 91 Cr.P.C. for handing over the documents to the Investigating Officer

4. Mr. Sanjeev Bhandari, Additional Standing Counsel, who appeared on advance notice for respondents no.1 and 2 stated that the present FIR was got registered on the basis of complaint made by the registered owner regarding the alleged mortgage of the property in question with respondent no.3. The petitioner is having only the sale certificate in his favour issued by the respondent no.3. It is further stated that the notices under section 91 Cr.P.C are issued to the petitioner only to participate in the investigation and also to produce the documents as mentioned in the notice under section 91 Cr.P.C.

5. As petitioner is not implicated in the FIR and in the subsequent investigation and the notices under section 91 Cr.P.C are only issued to produce the documents as detailed in the notices, as such no relief is



warranted in favour of the petitioner under given facts and circumstances.

6. Accordingly, present writ petition is dismissed alongwith pending applications, if any.

DR. SUDHIR KUMAR JAIN
(VACATION JUDGE)

JUNE 19, 2024/K/AK/ABK