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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2270/2024**
SARLA AGGARWALPetitioner

Through: Mr. Sacchin Puri, Sr. Advocate with
Mr. Vivek Luthra, Mr. Himanshu
Sood, Ms. Sneha Kumari, Mr. Arjun
Gupta, Mr. Dildar Singh Rana,
Mr. Vanya Chaturvedi, Mr. Siddhant
Asthana and Mr. Suman Raj, Advs.

versus

STATE (GOVT OF NCT OF DELHI)Respondent
Through: Mr. Yasir Rauf Ansari, ASC with
Mr. Alok Sharma and Mr. Vasu
Agarwal, Advocate and Inspector
Harish Chandra, PS: EOW.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER
01.08.2024

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CRL.M.A. 22187/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

CRL.M.A. 22188/2024

For the reasons stated in the application, the delay of 12 days in refiling
the petition is condoned.

Application stands disposed of.

W.P.(CRL) 2270/2024

1. Writ Petition under Article 226 of the Constitution of India read with



Sections 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner with the following prayers :

“that this Hon'ble Court may be pleased to pass appropriate directions to the SHO/IO to make further investigation / re - investigation of FIR No. 283/2012, P. S. Keshav Puram (Invest. By EOW) U/S 420, 120B IPC in a free, fair and impartial manner, under relevant provisions of law, and in this regard file a supplementary Charge Sheet, in the interest of justice, equity and fair play; and

It is further prayed that this Hon'ble Court may to take the cognizance of the offences detailed hereinabove and be pleased to call for further investigation in the aforesaid FIR so as to meets out the ends of justice.”

2. Issue notice. Learned ASC for the State appears on advance notice and accepts notice.
3. Learned counsel for petitioner submits that disputes between the parties relate to transfer of land admeasuring 1155 sq. yards from one Attar Singh in favour of Sarla Aggarwal (petitioner) on the basis of sale deed dated 23.12.2011. On the other hand, M/s VKR Infrastructure Pvt. Ltd. through Vinod Rana claimed that the said land stood transferred in his favour vide execution of sale deed dated 02.11.2010 through GPA executed by Attar Singh in favour of Ram Kumar Aggarwal. He further submits that separate complaints were initially preferred in respect of disputed property by Attar Singh, Sarla Aggarwal and Vinod Rana, which were investigated by the Police. The chargesheet is stated to have been wrongly filed thereafter in the year 2015 against Attar Singh, Sarla Aggarwal and others.
4. Learned ASC for the State, on instructions of IO, submits that order passed by learned MM on the basis of complaints preferred by Attar Singh, Sarla Aggarwal and Vinod Rana, was challenged at the relevant time before



the learned ASJ and revision petition was disposed of vide order dated 30.11.2015. Present petition is strongly challenged on merits apart from delay and laches. Apparently, the petition has been filed after more than 10 years of registration of FIR in the year 2012 and filing of chargesheet thereafter. In the light of factual position stated by learned counsel for petitioner, it appears that order dated 30.11.2015 passed by learned ASJ was not challenged.

5. At this stage, learned counsel for petitioner, on instructions, without prejudice to his rights and contentions submits that petitioner shall seek appropriate remedy in accordance with law and does not press the petition.

Taking the statement of learned counsel for petitioner on record, without making any observations on the merits of the case as well as contentions raised on behalf of petitioner, petition is accordingly disposed of. Pending applications, if any, stand disposed of.

Nothing stated herein shall tantamount to an expression of opinion on merits of the case.

ANOOP KUMAR MENDIRATTA, J.

AUGUST 01, 2024/R