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

+ **CRL.M.C. 680/2025**

SEEMA SOOD & ORS.

.....Petitioners

Through: Mr. Harsimran Singh, Advocate.

versus

STATE(NCT OF DELHI) & ORS.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
State with Mr. K.P. Singh, SI, PS-
New Ashok Nagar.
Mr. Shivam Sharma, SI, PS-Preet
Vihar.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
19.03.2025

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1. The Petitioners has filed the instant petition seeking the following prayers:

- “a. Transfer the complaint of the Respondent no. 5 pending against the Petitioners before the office of the Respondent no. 4 to the office of the Respondent no. 3 and direct the EO to dispose of the complaint in strict conformance of law in relation to cheating and breach of contract; or*
- b. Transfer both the complaints of the Respondent no. 5 against the Petitioners; currently pending before the before the office of the Respondent no. 3 and the office of the Respondent no. 4 to DIU/East District or any other independent enquiring/ investigating agency to deduce whether or not a cognizable offence is being made out from the factual matrix and to direct the detailed EO to dispose of the complaint in strict conformance of law in*



relation to cheating and breach of contract; and

c. Call for mandatory sanction/ permission required u/s 173(3) of Bhartiya Nagarik Suraksha Sanhita, 2023 for conducting preliminary enquiry upon the: complaint of the Respondent no.5 from the office of the ACP/Preet Vihar and ACP/ Kalyanpuri to gauge legality/ illegality of the enquiry undertaken by the EOs and in event the same is not found, direct the Respondent no.2 to take appropriate administrative/ disciplinary action for willful violation of legal: mandate; and

d. Pass any other order(s) which this Hon'ble Court may deem fit and proper in the overall facts and circumstances."

2. In brief, the case of the Petitioners is as follows:

2.1. Petitioner No. 1 had entered into an agreement to sell with Royal Blue Club Private Limited (Respondent No. 5), through its authorized signatory. However, due to unforeseen circumstances, the terms of the agreement to sell were breached. Despite the civil nature of the dispute, Mr. Gurvinder Arora, Director of Respondent No. 5 made a complaint against the Petitioners at P.S. Preet Vihar. While the inquiry of the said complaint was pending, Mr. Gurvinder Arora filed an identical complaint at P.S. New Ashok Nagar.

2.2. Aggrieved, by the complaints, Petitioners submitted representations dated 19th December, 2024 to the DCP, East District, Delhi Police (Respondent No. 2) and to the Enquiry Officer of P.S. New Ashok Nagar requesting for transfer of complaint filed before P.S. New Ashok Nagar to P.S. Preet Vihar. However, no response has been forthcoming.

2.3. The Petitioners have been harassed by the police officials at P.S. New Ashok Nagar to return double the earnest money or to execute the sale deed in the name of Respondent No. 5.

2.4. Recently, the Petitioners have also received a notice on a complaint filed by Mr. Gurvinder Arora at P.S. Tilak Nagar.



3. Counsel for the Petitioners submits that parallel inquiries based on identical facts and parties should not be entertained at two different police stations. The investigation must be conducted by the police station having jurisdiction. Since no part of the alleged cause of action occurred within the territorial jurisdiction of P.S. New Ashok Nagar, the complaint should be transferred. It is further argued that the present dispute is essentially civil in nature, which has been wrongly given a criminal dimension in an attempt to harass the Petitioners.

4. On 3rd February, 2025, in view of the facts of the case, the Court had issued notice and directed the State to file a status report. A copy of the status report has been handed over across the Board and is taken on record.

5. Pursuant to the previous order, Mr. Gurvinder Arora has appeared in person. He states that he had initially filed a complaint at P.S. Preet Vihar, which he later withdrew through communication dated 23rd December, 2024. He then filed the same complaint at P.S. Tilak Nagar, where the investigation is still ongoing.

6. In this regard, the status report also indicates that Respondent No. 5 expressed his willingness to pursue complaint dated 15th December, 2024 at P.S. New Ashok Nagar citing that his place of residence falls within the jurisdiction of P.S. New Ashok Nagar. Additionally, the complaint filed by Respondent No. 5 at P.S. New Ashok Nagar was transferred to P.S. Preet Vihar on 13th February, 2025 and during the preliminary enquiry, the Enquiry Officer at P.S. New Ashok Nagar made the following observations:

6.1. Respondent No. 5 did not reside within the territorial jurisdiction of P.S. New Ashok Nagar and that the address of Respondent No. 5 mentioned in the complaint belonged to someone else.



6.2. The registered office of Respondent No. 5 was/ is at D-1, Wood Bury Tower, Charm Wood Village, Lakkadpur, Sector 39, Faridabad Haryana.

6.3. The property in question exists at B-140, Preet Vihar, Delhi and upon preliminary enquiry, no cognizable offence has been found to have been committed in the jurisdiction of P.S. New Ashok Nagar and accordingly on the complaint was transferred to P.S. Preet Vihar.

6.4. Since the allegations levelled by Respondent No. 5 were identical, the second complaint transferred from P.S. New Ashok Nagar was also filed as “Closed” with identical reasoning of non-disclosure of commission of any cognizable offence.

7. The status report further indicates that the allegations of pressurizing the Petitioners to settle the dispute with Respondent No. 5 are unfounded and frivolous, as nothing of the sort ever took place. The Petitioners were requested to join the preliminary enquiry solely to determine whether a cognizable offence had been committed. Written notices were also issued to the Petitioners, ensuring that proper supervision by superior officers took place, and no illegality was perpetrated upon them to force a settlement with Respondent No. 5. Furthermore, there is no pending complaint against the Petitioners at either P.S. Preet Vihar or P.S. New Ashok.

8. In light of the afore-mentioned developments, the relief sought in the present petition is rendered infructuous. Since no complaints are currently pending against the Petitioners at either P.S. Preet Vihar or P.S. New Ashok Nagar, the intervention of this Court is not warranted.

9. It is however clarified that in case Respondent No. 5 has any grievance regarding the outcome of their complaint, they shall be free to pursue their remedies, in accordance with law.



10. Accordingly, the present petition along with pending application(s), if any, is disposed of.

SANJEEV NARULA, J

MARCH 19, 2025

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