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

+ **W.P.(CRL) 1191/2025, CRL.M.A. 11332-11333/2025**

HARPREET SAHNI & ORS.

.....Petitioner

Through: Mr. Gyanendra Khandelwal, Sr.
Advocate along with Ms. Savita
Malhotra and Ms. Suman Malhotra,
Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Amol Sinha, Ld. ASC for State
with Mr. Ashvini Kumar, Mr. Nitish
Dhawan and Ms. Sanskriti Nimbekar,
Advocates and SI Lakhan P.S. EOW,
Delhi.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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17.04.2025

CRL.M.A. 11333/2025 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

W.P.(CRL) 1191/2025

3. A Writ Petition under Article 226 and 227 Constitution of India has been filed on behalf of the Petitioner with the prayer that the Respondent be directed to investigate in the Complaints of the Petitioners without clubbing it with FIR No.03/2019 Police Station EOW, Mandir Marg, New Delhi and take appropriate action against Respondent No.4 and 5 and their associates for commission of offences of extortion, cheating, forgery, preparation of



false documents etc. Further prayer is made that the Complaints of Petitioner No.1 and 2 along with Application under Section 156(3) Cr.P.C is pending and the learned M.M be directed to decide the same, independent of the investigations being undertaken in FIR 03/2019.

4. **Learned counsel on behalf of the Respondent No.1 to 3** has appeared on advance Notice and submits that FIR No.03/2019 P.S. EOW, Mandir Marg has been registered on the allegations of the Petitioner having committed a fraud by issuing post dated cheques. During investigations, it has been found that the Petitioner had signed multiple post dates cheques on behalf of the Trust and thereby cheated and defrauded more than 144 Complainants.

5. It is submitted that the investigations in FIR No.03/2019 are still ongoing. It is further explained that the Petitioners who were the Trustees from 2014 to 2018 and had signed those cheques on being found to be the Accused in FIR No.04/2019, then filed the Complaints asserting that they had been induced and compelled by Respondent No.4 and 5 as Promoters, to sign the said cheques and have sought registration of FIR against Respondent No.4 and 5. The Application under Section 156(3) Cr.P.C is pending before the learned M.M. There is no Order tagging the Complaints /Applications under Section 156(3) Cr.P.C or the Complaints with the investigations in the present case. It is submitted that there is no merit in the present case.

6. **Submissions heard and record perused.**

7. Essentially the grievance of the Petitioner is that his Application under Section 156(3) Cr.P.C pending before the Learned M.M is not being decided while the ATRs are being submitted on behalf of Respondent No.1



to 3 on the basis of investigations being carried out in FIR No.03/2019.

8. The ATRs were getting submitted reporting about the investigations carried out in FIR No.03/2019 in the Complaint and Application under Section 156(3) Cr.P.C. filed by the Petitioner. The Application under Section 156(3) Cr.P.C may or may not be similar or may be disclosing a larger conspiracy as is claimed by the Petitioner, but no directions are required to be made to the learned M.M to decide the Complaint/Application under Section 156(3) Cr.P.C *de hors* the investigations of FIR No.03/2019. The Petitioners are at liberty to make these submissions and address the legal arguments before the learned M.M who may consider them and dispose of the Application under Section 156(3) expeditiously considering that it is pending since 2019. No further directions are required.

9. Learned counsel for the Petitioner has further submitted that vide Order dated 29.05.2024, the learned M.M had tagged his Complaints with FIR No.03/2019 in which investigations are still pending. If the Petitioners are aggrieved by such tagging, appropriate remedy should be pursued by the Petitioners to challenge this Order. The same cannot be addressed by way of the present Writ Petition, wherein essentially the Prayer made is for directions to be issued to learned M.M for disposal of the Application under Section 156(3) Cr.P.C.

10. The Petition is accordingly dismissed and stands disposed of along with the pending Applications.

NEENA BANSAL KRISHNA, J

APRIL 17, 2025/va