



\$~89

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

+ **W.P.(CRL) 1794/2025**

SARIKA SINGH & ANR.Petitioners

Through: Dr. S.S. Hooda and Mr.
Aayushman Aeron, Advs.

versus

STATE NCT OF DELHI & ORS.Respondents

Through: Mr. Amol Sinha, ASC for
the State with Mr. Kshitiz
Garg, Mr. Ashvini Kumar,
Ms. Neetu Sahani, Ms.
Asha Rani, Ms. Richa
Tiwari and Ms. Divya
Attri, Advs. with SI Rohit,
AATS/OND.
Mr. Anupam S. Sharma,
SPP, CBI with Mr.
Prakarsh Airan, Ms.
Harpreet Kalsi, Mr.
Ripudaman Sharma, Mr.
Vashisht Rao and Ms.
Riya Sachdeva, Advs. for
CBI.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

28.05.2025

1. By the present petition, the petitioners seek transfer of investigation in FIR No. 455/2024 registered at Police Station Samaipur Badli, for offences under Sections 420/34/120B of the Indian Penal Code, 1860 (IPC), to the Central Bureau of

W.P.(CRL) 1794/2025

Page 1 of 4



Investigation or in the alternate, a direction to the Delhi Police to constitute a high-level special investigation team for the investigation of the FIR.

2. Petitioner No. 1 claims to be the victim allegedly cheated at the hands of one Gaurav Kumar Sharma, who contacted Petitioner No. 1 claiming himself to be Petitioner No. 2 'Kanishka Singh'.

3. It is alleged that the said Gaurav Kumar Sharma impersonated himself as Kanishka Singh and had assured Petitioner No. 1 to arrange her a ticket to contest from Congress Party. It is claimed that Petitioner No. 1, being induced, delivered a sum of ₹2,00,000/- and certain gold articles to one associate of Gaurav Kumar Sharma.

4. Petitioner No. 1 later got suspicious and gave a complaint on the Cyber Crime Portal of the Ministry of Home Affairs, on the basis of which a Zero FIR dated 12.02.2024 was registered at Police Station Jyotinagar, Jaipur which was subsequently transferred to Delhi and was registered as FIR No. 455/2024 registered at Police Station Samaipur Badli, for offences under Sections 420/34/120B of the IPC.

5. The Police, pursuant to the investigation, has already filed chargesheet. It is claimed that the said Gaurav Kumar Sharma has evaded the course of investigation and was declared as Proclaimed person by order dated 04.12.2024, passed by the learned Trial Court.

6. Petitioner No. 1 claims that the said Gaurav Kumar Sharma is still impersonating himself as Kanishka Singh, and has been cheating other gullible people, which has also led to



complaints by other victims.

7. Petitioner No. 1 claims that the said Gaurav Kumar Sharma has still not been arrested and the investigation has not been carried out properly.

8. Concededly, the chargesheet has already been filed in the present case.

9. The petitioners, in case, are aggrieved with the manner in which the investigation is being carried out, are at liberty to file an appropriate application before the learned Trial Court in the form of Protest Petition or an application seeking further investigation.

10. The learned Trial Court is seized of the chargesheet and the material collected by the Police during the course of investigation.

11. Further, as noted above, the said accused Gaurav Kumar Sharma, has already been declared Proclaimed Offender and therefore, there is no reason for this Court to believe that he has not been arrested purposely by the Police.

12. Concededly, when Petitioner No. 1 is not aware of the whereabouts of the said Gaurav Kumar Sharma, there is a possibility, as stated by Petitioner No. 1, that the said Gaurav Kumar Sharma is also involved in committing crimes in different States. The same, however, cannot be taken as evidence to state that the Police Authorities are hand in glove and are not functioning in a proper manner.

13. In case the petitioners feel that some part of investigation is left out or can still be looked into by the Police, a proper application in that regard can be filed before the learned Trial



Court.

14. The learned Additional Standing Counsel for the State, at the outset, submits that sincere efforts are being made to trace the accused Gaurav Kumar Sharma.

15. He submits that an appropriate report in that regard will be filed before the learned Trial court within a period of four weeks. He also assures that the report would be approved by a Senior Officer at the level of Deputy Commissioner of Police.

16. Considering the above, this Court does not consider it apposite to keep the present petition pending. Needless to state that the petitioners are at liberty to file appropriate proceedings in case any grievance remains in future.

17. The present petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

MAY 28, 2025

'KDK'