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

+ CRL.M.C. 4802/2013

BALDEV SINGH SEHGAL

.....Petitioner

Through: None.

versus

STATE OF DELHI & ORS.

.....Respondents

Through: Mr. Ritesh Kumar Bahri, APP with
Ms. Divya Yadav and Mr. Lalit
Luthra, Advs.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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29.01.2025

1. This matter has been taken up today for hearing as per the directions of Hon'ble the Chief Justice.
2. No one has appeared for the petitioner.
3. The learned APP for the State has pointed out that an application was preferred by the present petitioner/complainant under Section 156 of the Cr. PC and on direction of the Court, the FIR No.53/2008 under Section 420/468/471 of the IPC came to be lodged at PS Janakpuri. However, after investigation, a report under Section 173 was filed to the fact that no offence had been committed by the proposed accused person.
4. The gist of the order dated 02.01.2012 passed by the learned MM, whereby the cancellation report filed by the investigating officer was accepted, is that it was purely a civil dispute between the parties. The said order was assailed by the petitioner/complainant in criminal revision before



the learned ASJ, West-02, Tis Hazri Court, Delhi, which found no infirmity in the order passed by the learned MM and accordingly, the revision petition was dismissed *vide* order dated 07.09.2013.

5. The present petition was filed on 18.11.2013. There is no interim order passed in the present matter. No one has been appearing for either of the parties.

6. This Court finds substance in the plea raised by the learned APP for the State that the present petition under Section 482 of Cr. P.C is not maintainable as it fails to demonstrate that the impugned order passed by the learned ASJ has resulted in gross miscarriage of justice or has been an abuse of the process of law. The impugned order dated 07.09.2013 also reflects that the parties have been in civil litigation as well regarding the property in question.

7. The present petition is in the garb of a second revision petition which is not sustainable in law. Hence, the present petition is dismissed.

DHARMESH SHARMA, J.

JANUARY 29, 2025

Ch