

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 30.7.1998

Date of hearing:20th March, 2018

Complainant : Shri Sheetal Dawar

Respondent : Special Commissioner of Police Delhi Police (Vigilance),PS
Barakhamba Road, New Delhi

Grievance No. : PGC/2017/DP/247

Grievance filed on : 25/8/2017

First hearing in the PGC : 10/10/2017

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint against the conduct of Inspector Sanjeev Mandal for closing FIR NO. 95/2012 PS Kotla Mubarakpur in illegal and unlawful manner. He has alleged that the IO without recovering original agreement to sell or going into the merits of the case closed the FIR arbitrarily. He has requested for legal action in the matter.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 10th October, 2017, the second hearing held on 13th February, 2018 and the third hearing held on 20th March, 2018, when the following were present:-

Complainant : Present

Respondent : SI Raj Kumar,

3 Relevant facts emerging during the hearing

An ATR has been filed by SHO/KM Pur, stating that “ in the matter cited above, a case vide FIR NO. 95/12 u/s 420/468/471 IPC was registered on the complaint of Shri Sheetal Dewar in the PS and investigation was taken up. Complainant alleged in his complaint that his father late Shri R.D. Dewar purchased a property bearing NO. C-788, situated in New Friends Colony, New Delhi from the joint income of family members from the original owner Shri R.C. Kapoor in the year 1985. Father of the complainant expired intestate on 1.2.2007. Accused Sunil Dewar and Krishna Rani Dewar started to relinquish the share of the complainant. That in July 2010 complainant came to know that above said accused persons illegally started selling the properties left behind by his father . Complainant also came

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to know that above accused persons prepared false and fake GPA by Shri R.C. Kapoor executed in favour of Krishna Devi Dewar dated 7.9.1985 and also prepared fake Agreement to Sell dated 7.9.1985 by original allottee in favour of Sunil Dewar and thereafter obtained false and fake conveyance deed from DDA dated 19.8.2004 registered in favour of Sunil Dewar. After completion of investigation, SI Sanjeev Mandal, the then IO of the case prepared cancellation report as the allegation leveled by the complainant could not be substantiated and subsequently the cancellation report was filed in the court which is subjudice in the Hon'ble Court of Shri Ashish Gupta, Ld. MM, Saket Court, Delhi. Now the matter is sub-judice before the Court and the complainant has been directed by the Court to file protest petition in the matter for his grievance. Hence, the matter is already pending before the concerned court and is fixed for 17.5.2018, therefore, the complainant may please be directed to pursue his matter in the Court."

4. Directions of PGC

As per the ATR " the matter is sub-judice before the court and complainant has been directed by the court to file protest petition in the matter for his grievances."

As the case is sub-judice and as per the mandate of the Commission, any matter which is sub judice cannot be taken up by the Commission for hearing. The Commission has decided to close the case with the advice to the complainant to pursue the case in the Court of law.

(SUDHIR YADAV)
MEMBER(PGC)

Copy to:

1. The Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.
2. The Addl. Commissioner of Police (Vigilance), Delhi Police, Police Station Barakhamba Road, New Delhi-110001.
3. The Deputy Commissioner of Police (District South), Police Station Hauz Khas, New Delhi
4. SHO/Kotla Mubarakpur, Police Station Kotla Mubarakpur, New Delhi
- 5.. Ms. Sheetal Dawar