

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

PGC/2016/A-II/DP/319

Date of hearing: 9th August, 2018

Complainant : Shri Harcharan Singh- Not Present

Respondent : Special C.P. (Vigilance)-through
Inspector Ratan Pal, DIU/North

1. Brief facts of the complaint

The complainant has filed a complaint against the SHO/PS Sadar Bazar for falsely implicating him in a false criminal case and for disposing him from his shop in connivance with one Shri Mohd. Javed Ahmed and his accomplices. The complainant had an agreement with Shri Mohd. Tabarej Anawar leasing his shop at the rate of Rs. 1 lakh per month alongwith Commission @ 2 percent per month on the gross sale and deposit of a refundable security of Rs. 3 lakhs. Shri Mohd. Tabarej Anawar was only the user being the licensee of the shop to run his business and the possession was to remain with the complainant who was supposed to open and close the shop on each working day in order to facilitate him to run his business from that shop. The complainant was also having his office in the mezanine of that shop. After expiry of two years, on 30.4.2015, Mohd. Tabarej Anawar vacated the possession of his portion back to the complainant. On 1.5.2015 the complainant had an agreement with Mohd. Javed Ahmad, the real brother of Mohd. Tabarej Anawar for the rent of Rs. 1.5 lacs per month and 2 percent commission on the monthly gross sale, being the supervision charges. Possession was to remain with the complainant who was supposed to open and close the shop on each working day in order to facilitate to run his business from that shop.

Mohd. Javed Ahmad paid supervision charges to the complainant only for two months and violated other terms and conditions of the agreement. The complainant decided to exercise his right to not to allow Shri Mohd. Javed Ahmad to enter into his property and changed all his locks on the shop and gave an intimation in this regard to SHO/PS Sadar Bazar on 11-12/9/2016. When Mohd. Javed Ahmad asked the complainant for changing the locks, he was straightaway explained that till he clears all his dues, he will not be allowed to enter into the shop. Then the alleged alongwith his brother broke the locks, for which the complainant made calls to the PCR but no one reached the spot at that time. Instead of listening the complainant, SHO Shri Ramesh Dahiya registered an absolutely false FIR vide NO. 0330/2016 u/s 448/506 IPC on the complaint of Mohd. Javed Ahmad and the complainant was detained in the police station till 12.00 midnight and only after that he was released on bail. The complainant has requested for legal action in the matter.

2. Relevant facts emerging during the proceeding

An ATR has been filed by Inspector Ratan Pal, DIU/North is on record. From the local/secret inquiry conducted from the neighbours around the shop in question, it came to notice that the shop number 12-13 /6 and 9, Qutub Road, Sadar Bazar, Delhi was taken on rent from Harcharan Singh by Mohd. Tabrez and Mohd. Javed around five years ago. Both brothers are doing business of ladies purse.

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During inquiry, the complainant Shri Harcharan Singh produced copies of two unregistered Rent Agreements dated 2.5.2013 in favour of Mohd. Tabrej , another Rent Agreement dated 1.5.2015 in favour of Mohd. Javed. However, both Javed and Tabrej denied to have signed any such rent agreement. They stated that no written agreement was ever executed with the complainant for the said shop. The documents have been sent to FSL for opinion. It is further stated that action of local police is justified and allegations of connivance, illegal detention and misbehaviour could not be substantiated.

3. Directions of PGC

Perusal of the ATR filed by DIU/North reveals that enquiries have been conducted/completed by the police. Nothing wrong, omission/commission on part of policemen emerged so far. The matter relates to tenancy/possession of shop and a case has already been registered in a related matter.

DCP (North) is directed to get the investigation of the case concluded in a time bound manner.

With the above advice, the Commission has decided to close the case in PGC.

**(SUDHIR YADAV)
MEMBER(PGC)**

Copy to:

1. The Special Commissioner of Police (Vigilance), Delhi Police, PS Barakhamba Road, New Delhi.
2. The District Magistrate (Central District), Revenue Department, Office of District Magistrate (Central District), near Ramjas School, New Delhi
3. The Deputy Commissioner of Police (District North), Behind Police Station Civil Lines, New Delhi-110054
4. Inspector Satyabir Singh, DIU/North, Office of the Assistant Commissioner of Police, District Investigation Unit, Timarpur, Delhi.
5. SHO/PS Sadar Bazar, Police Station Sadar Bazar, Delhi
6. Shri Harcharan Singh s/o late Hem Singh