

**IN THE COURT OF SH. ANKUR JAIN-1: ADDITIONAL
SESSIONS JUDGE-04, CENTRAL, TIS HAZARI COURTS,
DELHI.**



CR No.:358/2025

CNR No. DLCT01-010506-2025

Subhash Chand

S/o Late Sh. Ram Sarup

R/o House No. 230, Gali No.11,
Than Singh Nagar, Anand Parbat,
New Delhi-110005

...REVISIONIST

VERSUS

1. SI Pawan Yadav

PS Pahar Ganj, Delhi-110005

2. Sh. Inder Kumar Jha

Inspector, SHO PS Paharganj

Delhi-110005

through SHO PS Pahar Ganj

Both through SHO

PS Pahar Ganj, Delhi

...RESPONDENT

Date of Institution of Revision :17/07/2025

Date on which order reserved :20/07/2026

Date on which order pronounced :08/09/2026

Final order :Dismissed

**CRIMINAL REVISION U/S 397/399 OF CR.PC FOR
SETTING ASIDE ORDER DATED 21/04/2025 PASSED BY
LD. ACJM-01,(CENTRAL), TIS HAZARI COURTS IN CT.
NO.18703/2018 TITLED AS 'SUBHASH CHAND VS SI
PAWAN YADAV'.**

ORDER:-

1. By this order, I shall decide the present revision petition.
2. The brief facts of the case are that a complaint was made by the revisionist stating that he had filed a complaint on 29/12/2017 vide DD No.39B PS Pahar Ganj for registration of the case against Ms. Kamlesh which was marked to SI Pawan but no FIR was registered. Thereafter, an application u/s 156(3) Cr.PC was filed in which action taken report was filed by SI Pawan Yadav. It is stated that in action taken report, it was clearly revealed that the certificate of Ms. Kamlesh is forged and fabricated but despite that FIR was not registered. The police officials did not perform their duties as per law and thereby committed an offence punishable under section 60/122 DP Act as well as section 166A/217/218 IPC. A legal notice was sent but no action was taken. Hence, present complaint was filed.
3. The complainant examined himself as CW-1 and the CE was closed on 12/10/2023. Thereafter, vide the impugned order the Ld. ACJM-01 declined to summon the accused and dismissed the complaint. Hence, the present revision.
4. Ld. counsel for the revisionist has argued that sanction u/s 197 Cr.PC was not required to summon the accused persons. Secondly, the judgment relied upon by the revisionist / complainant were never considered by the ld. Trial Court.
5. No arguments have been address on behalf of respondents.
6. I have heard ld. Counsels for the revisionist and perused the record.

7. The perusal of the reply of the respondent reveals that FIR 351/2018 has already been registered against the said Mr. Kamlesh u/s 420/468/471 IPC on 29/11/2018. The action taken report dated 03/08/2018 reveals that since revisionist was not a sufferer as no wrongful loss or wrongful gain was caused to him, the relevant documents were sent to concerned authorities alongwith the verification report of the school. It is clear that proposed accused, who are the police officials did not act in haste and sent the report to the appropriate authority.

8. Section 166 A (c) of the IPC, lays down that in case the public servant fails to record any information given to him u/s (1) of Section 154 Cr.PC in relation to cognizable offence punishable u/s 326A, section section 326B, section 354, section 354B, section 370, section 370A, section 376, section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB, section 376E or section 509 IPC shall be liable for punishment. The offence u/s 166A is a cognizable offence. It is not the case of revisionist that his complaint disclosed any of the offence mentioned u/s 166A sub clause (c). According to the complainant, the proposed accused were liable to be summoned u/s 217 & section 218 IPC, on bare perusal of these section, no offence is disclosed as the revisionist has not been able to show that any directions was issued to the proposed accused qua the registration of FIR and which was not complied by them. Similarly, the provision of section 60/122 DP Act have no application to the facts of the present case.

9. In the present case, I am so unable to agree with the submissions of the ld. Counsel for the revisionist that sanction was not required in the facts. In the facts, enumerated above, the alleged persons acted in the colour of their duty and thus, the sanction was very much required.

10. I find no infirmity or illegality in the order of the ld. Trial Court. Consequently, the revision petition is dismissed.

11. Copy of the order alongwith ld. Trial Court order be sent to the Ld. Trial Court for information.

12. Revision files File be consigned to Record Room.

Announced on this

8th September, 2026

**(ANKUR JAIN-I)
ASJ-04/Central/Delhi.**

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