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

+ **CRL.M.C. 2369/2020 & CRL.M.A. 16714/2020**

PANKAJ KUMAR

..... Applicant

Through: Mr.Brijender Dhull, Advocate.

Versus

THE STATE & ORS.

.....Respondent

Through: Mr.Ashok Kumar Garg, APP for State
with SI Surendra Kumar.

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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03.12.2020

(hearing through Video Conferencing)

CRL.M.A. 16714/2020 (Ex.)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 2369/2020

Initial submissions have been made on behalf of the petitioner.

The petitioner, vide the present petition assails the impugned order dated 02.09.2019 of the learned District & Sessions Judge, KKD Courts, New Delhi in Crl.Rev. No.7/2017 whereby the said revision petition was allowed and the impugned order dated 23.12.2016 in CC No.4453/2016 of the learned CMM, Shahdara whereby an FIR was directed to be registered in the matter in relation to allegations levelled by the petitioner as the complainant of acts committed allegedly by the proposed accused nos. 1 to 3 that these accused persons were in conspiracy with each other; were running a racket of money laundering for conversion of black



money into white and they implicated the innocent persons by transferring huge amount into their accounts by opening fictitious companies registered with ROC and that after transferring money into account of innocent persons, used to demand cash amount from them was set aside.

Inter alia the applicant submits that he was even arrested pursuant to the said act of the accused persons and was arrested in relation to FIR No.96/2014, PS Vivek Vihar under Sections 406/420/34 of the Indian Penal Code, 1860. *Inter alia* it has been submitted on behalf of the applicant that the observations in the impugned order in paragraph 21 submitting to the effect that there was no effective complaint under Section 190 of the Cr.P.C., 1973, are erroneous and in as much as, there was a mere non mention of the provisions of Section 190 of the Cr.P.C., 1973, but in substance the application an application under Section 156(3) of the Cr.P.C., 1973 that was filed by the petitioner, was a complaint and sought registration of the FIR against the accused persons inclusive of the petitioner of CRL.Rev.No.7/2017.

Notice thereof is issued to the State and is accepted by the learned APP on behalf of the State.

Without any observations on the merits or demerits of the prayer, on a consideration of the submissions made, it is considered essential that the notice of the petition is issued to the respondent nos. 1 to 5 and be so issued on taking of steps by the petitioner.

The status report be submitted by the State before the next date of hearing.

The matter be re-notified for 14.01.2021.

ANU MALHOTRA, J

DECEMBER 03, 2020/'neha chopra'