

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: 5th February, 2018

Complainant : Shri Mohd. Aarif s/o late Mohd. Yusuf,
Bijnor Mohalla Mumtaz, Kasba Afzal Garh, District,
Uttar Pradesh

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

Grievance No. : PGC/2017/DP/09
Grievance filed on : 23/12/2016
First hearing in the PGC : 06/03/2017
Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint that his brother Mohd. Ikram was arrested in case FIR No. 751/2015 on 8.12.2016 by SI Amit Verma. Whereas, the real culprit in the case is Mohd. Kaasim. He has further alleged that the SI in connivance with Mohd. Kaasim has falsely implicated his brother and made him the main accused. He has also alleged that Rs. 50,000/- bribe was demanded by the SI from his brother for getting rid of the said case. But due to non-availability of sufficient money his brother gave Rs. 10,000/- to SI Amit Verma but to the contrary, the SI filed a challan against his brother on 9.12.2016. He has also alleged that in the said case there are 15 accused in the case but all except his brother have not been arrested. 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 6th March, 2017, the second hearing held on 29th May, 2017, the third hearing held on 31st July, 2017, the fourth hearing held on 25th September, 2017 and the fifth hearing held on 5th February, 2018, when the following were present:-

Complainant : Present –Shri Mohammad Ikram brother of complainant
Respondent : Inspector Suresh Chand, SHO/Gokulpuri
ACP Rishi Dev, PG Cell/East District
SI Shailendra Kumar Singh, PS Gokul Puri

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3 Relevant facts emerging during the hearing

An ATR has been filed by SI Shailendra Kumar Singh, PS Gokulpruri, Delhi, stating the following :-

- i. It is submitted that the case FIR No. 751/15, dated 12.9.2015 has been registered on the complaint of Shahnawaz Khan s/o Late Anwar Ali Khan wherein he alleged that since last many years, he and many other locality members of the area have been regularly depositing small amount of cash in a financial institution in the name and style of "Madina Muslim Fund" having office at B-399, Street No. 3, near Madina Masjid, New Mustafabad, Delhi-94. Amount ranging from minimum of 50-100 Rs. to any extent could be deposited in the said bank, and primarily house-hold ladies out of their daily savings have deposited their hard earned money over a long run in said financial institution.
- ii. The alleged Madina Muslim Fund management and staff have vacated their office and eloped with all the cash of victims. With regard to the said Madina Muslim Fund, notice was sent to SDM/Yamuna Vihar office from where it has been replied that the said Madina Muslim Welfare Society and Aman Charitable Welfare Society are registered with them vide registration number-63752 and 69260 but the scope of work of said institution has not been provided by them.
- iii. The complainant of the case and the 59 witnesses have been examined and relevant documents (Passbook of Madina Muslim Fund) in their possession have been seized. One of the alleged namely Mohd. Ikram s/o Late Haji Mohd. Yusuf r/o 503, Gali No. 5, Old Mustafabad, Delhi has been arrested in the present case and chargesheet against accused Mohd. Ikram was filed before the court

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concerned on 4.2.2017. On 16.1.2017 co-accused Haji Kasim s/o Mohd. Younus r/o B-399, Gali NO. 3, Indira Vihar, Mustafabad, Delhi, who is the Vice President of said financial institution was granted anticipatory bail from Hon'ble Delhi High Court and he was formally arrested in the present case on 4.3.2017.

- iv. After transfer of IO/SI Amit Verma investigation of the present case was entrusted to me. During course of further investigation search of the absconding accused persons were made but they were absconding from their addresses. Fresh NBW against 05 other absconding accused namely (1). Mohsin Khan s/o Ibne Hasan r/o 8, Peer Wali Gali, Gokulpuri, Delhi (2) Irfan s/o Kamruddin, r/o 416, Street NO. 4, Old Mustafabad, Delhi (3). Zahid Hussain r/o 1429/15, New Mustafabad, Delhi (4). Mohd. Yunoos r/o 75-A, Old Mustafabad, Delhi (present applicant), (5) Afzal r/o B-400, Gali No. 3, Indira Vihar, Gokulpuri, Delhi have also been taken from the Hon'ble Court on 20.11.2017 which are returnable for 19.12.2017.
- v. On 24.1.2018 process u/s 2 Cr.P.C. against absconding accused namely (1) Mohsin Khan s/o Ibne Hasan, (2) Irfan s/o Kamruddin, (3) Zahid Hussain r/o 1429/15, New Mustafabad, Delhi (4) Mohd. Yunoos r/o 75-A, Old Mustafabad, Delhi (Present applicant), (5) Afzal, r/o B-400, Gali NO. 3, Indira Vihar, Gokulpuri, Delhi was issued from the Hon'ble Court, which are returnable for 3.4.2018. Despite of sincere efforts the above said accused person could not be arrested so far as they intentionally absconding to avoid their arrest.
- vi. On 2.2.2018 anticipatory bail application of the accused persons Yunus and Zahid Hussain were dismissed by the Hon'ble Sessions Court of KKD Court, Delhi. Sincere efforts are continuing to arrest the absconding accused persons. Investigation of the present case is pending and going on."

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4. Directions of PGC

As per the ATR Chargesheet has already been filed against complainant's brother. Therefore, the Commission has decided to close the case in PGC.

o/c


(SUDHIR YADAV)

MEMBER(PGC)

Copy to:

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26/2/18

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 Addl. Commissioner of Police (District North-East), Police Station Seelampur, New Delhi
4. SHO/PS Gokalpuri, Police Station Gokalpuri, Delhi
5. Shri Mohd. Aarif s/o late Mohd. Yusuf, Mohalla Mumtaz, Kasba Afzal Garh, District, Bijnor, U.P.