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: 22nd February, 2018

Complainant	:	Shri Nikhlesh Jain, Email : nikhleshjain@gmail.com
Respondent	:	**Special Commissioner of Police Delhi Police (Vigilance),PS Barakhamba Road, New Delhi**
Grievance No.	:	PGC/2017/DP/150
Grievance filed on	:	22/5/2017
First hearing in the PGC Scheduled on	:	17/8/2017

1. Brief facts of the complaint

The complainant has filed a complaint in PGC alleging that Shri Manoj Bhatia, Addl. SHO/PS Rohini extended threat to put him in prison in case he (the complainant) failed to return Rs. 7,00,000/- to Shri Girdhari Lal s/o Shri Ishwar Dass, r/o F-13/38, third floor, Sector-15, Rohini and Yashpal Makhija s/o late Shri Kala Ram Makhija, r/o E-4/112, Sector-16, Rohini, Delhi-110085. The complainant has requested for necessary action in the matter.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing in the complaint on 17th August, 2017 and the second hearing held on 22nd February, 2018, when the following were present:-

Complainant	:	Not Present
Respondent	:	Ms. Parwati Devi, ACP/Rohini District Inspector Mohan Singh, SHO/KNK Marg

3 Relevant facts emerging during the hearing

An ATR has been filed by SHO/KNK Marg, stating the following :-

i. The enquiry into the matter was conducted by Inspector Anil Sharma and on enquiry, it was found that Shri Yashpal Makhija lodged a complaint vide LC-492 dated 27.4.2017 in which he has alleged that he entered into an agreement dated 9.10.2015 for purchase of LIG

flat NO. 17, Ist Floor, G-4, Sector-15, Rohini, Delhi with Rachna goswami. Later she refused to honor the agreement and her brothers are threatening him to kill (by PISTOL) if he asked for returning his Rs. 7 lakhs. The above complaint is pending enquiry with Inspr. Manoj Bhatia.

ii. During enquiry of the above complaint, the complainant Yashpal Makhija provided an Agreement to Sell and Purchase (Bayana) dated 9.10.15 in which he has paid Rs. 7 lakhs to Rachna Goswami as token money for purchase of above LIG flat in which minor daughter of Rachna Goswami is also co-owner. Yashpal Makhija also stated that as per Sub-registrar minor cannot execute sale deed without court orders and the alleged persons had till date not done any effort to obtain the court orders or permission as promised by them in clause NO. 3 of the above agreement. Hence,from the initial stage their intention was to cheat him. As per report of Sub-Registrar, VI-C, Rohini received vide letter No. F.SR.VI-C/Rohini/2017/234 dated 31.5.2017 " as per sub-section 3 of section 8 of the Hindu Minority and Guardianship Act , 1956 sale of property of any minor cannot be done without prior permission of the Hon'ble Court." As there were allegations of cheating and threatening to kill (by PISTOL), hence, Rakesh Kumar (brother of Rachna Goswami) was asked to join enquiry but he did not turn up, hence on 19.5.2017 and 10/6/2017 notices to him, but till date he has not joined enquiry. Rachna Goswami was never asked or served notice to join enquiry. Despite of not joining enquiry they have lodged a false complaint with malafide intention against the police to creat undue pressure because a criminal complaint was pending enquiry against Rachna Goswami.

iii. Keeping in view the above facts, it was found that Advocate Nikhlesh Jain filed the false and frevilous complaint on behalf of her

client Rachna Goswami against the IO to pressurize him. Hence, the above complaint was filed and the copy of the previous enquiry report is also attached herewith."

On the last date of hearing, the complainant was not present and, therefore, a copy of the ATR filed by Delhi Police was sent to him for information and furnishing his comments, if any, on the next date of hearing. The complainant is neither present nor has furnished/sent his comments in the PGC. It appears that he is not interested in pursuing his case in PGC.

4. Directions of PGC

In view of the above, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER (PGC)
28/2/18

Copy to: 33368-372

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 Outer), Old Police Post Dost Pushpanjali Enclave, Road No. 43, Pitampura, Delhi-110034**
4. **The SHO/PS Rohini, Police Station Rohini, Delhi**
5. **Shri Nikhlesh Jain, E-mail nikhleshjain@gmail.com**