

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 Vijay Kumar, r/o B-2/370, Sultan Puri,
New Delhi-110086

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

Grievance No. : PGC/2017/DP/311

Grievance filed on : 8/11/2017

First hearing in the PGC : 22/2/2018

Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint of inaction against Delhi Police on his complaint against Inspector Sharad Kohli for threatening, threat to implicate in false cases, using caste derogatory words and threatened showing revolver. He has stated that the alleged Inspector threatened him of dire consequences as he published a news regarding smack racket/mafia. 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 22nd February, 2018, when the following were present:-

Complainant : Not Present

Respondent : ASI Virender Singh, Vigilance/Outer District
SI Anju Dahiya, PS Sultanpuri

3 Relevant facts emerging during the hearing

An ATR has been filed by Inspector Jagminder Singh, Inspr./Vigilance/OD stating the following :-

- i. During the course of enquiry statement of the complainant Vijay Kumar Bharti was recorded and gist of his statement is enumerated as under :-

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A. He stated that he was called by one HC (now ASI) Tejpal at PS Sultanpuri at about 6 p.m. in the month of January, 2015 and told him that SHO/Sultanpuri was calling him. When he reached PS Sultanpuri alongwith HC Tejpal he found that SHO/Sultanpuri was not present in his office. Thereafter, HC Tejpal took him in the back side office of PS where Inspector Sharad Kohli was present who offered him seat. He was threatened by him. He used derogatory remarks about his caste and a revolver was kept on the table and he told that he had a lady and false FIR would be registered against him after leveling allegations of tearing clothes. He told that his complaint may be treated as his statement. He could not tell the exact date of hearing.

Thereafter statement of following police personal was recorded and his content is reproduced below in nutshell :-

1. Insp. Sharad Kohli N. D-1101 PIS No. 16950242, DIU/OD-A) He stated that he was posted at PS Sultan Puri, Delhi w.e.f. 16.6.2014 to Sept., 2015. The complainant Vijay Kumar Bharti had been making false and baseless allegations against him. He is in the habit of making false complaints. He has already filed a defamatory suit CC NO. 250/15 against him which is pending in the court of ADJ, Rohini Court, Delhi. He has also got case FIR No. 779/15 dated 18/8/2015 u/s 189/419/420/469/471/500/501/502/120B/34 IPC r/w Sec. 4/5/8(4) of the Registration of Newspapers (Central) Rules, 1956 r/w Sections -3/4/5(3)/12/13/14/15/15A/16/16(A)/16(B). The Press and Registration of Books Act, 1867 registered at PS Sultanpuri, Delhi against the complainant and chargesheet has been filed against him (without arrest) after completion of investigation in the Court for trial. The allegations against him are completely false and baseless.

B. It is important to mention that the externment proceedings against the complainant u/s 47 DP Act are sub-judice in the Court of Shri Virender Singh Meena, Addl. DCP-II/OD and NDOH is fixed for 15/9/2017.

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c. It is significant to mention that on perusal of previous criminal involvements of the complainant as per record of PS Kalyanpuri Vijay Kumar Bharti s/o Late Shri Kailash Chand r/o B-2/370, Sultanpuri, Delhi was found to be involved in the following cases :-

S.N o.	FIR No.	Dated	u/s	Police Station
1.	810/02	9/7/02	323/341 IPC	Sultanpuri
2.	1233/06	4/8/2006	323/324/341/307/34 IPC	Sultanpuri
3.	87B	17/4/2014	107/150 Cr.P.C.	Sultanpuri
4.	694/14	29/6/2014	323/341/506/34 IPC	Sultanpuri
5.	64B	16/12/14	107/150 Cr.P.C.	Sultanpuri
6.	549/15	13/6/15	323/341/354/506/509/ IPC	Sultanpuri
7.	779/15	18/8/15	189/469/471/500/501/502/120B/34 IPC r/w Sec.4/5/(4) of the Registration of Newspapers (Central)Rules, 1956 and Sections- 3/4/5(3)/12/13/14/15/15A/16/16(A)/16(B) The Press and Registration of Books Act, 1867	Sultanpuri
8.	566/15	25/8/15	384/386 IPC	Bahadur Garh City, Haryana
9.	80B	12/11/15	107/150 Cr.P.C.	Sultanpuri
10	250/16	16/4/16	292 IPC	Sultanpuri

Facts revealed after enquiry : A) During enquiry it was found that the complainant did not make any PCR call at the time of incident. He is well educated and impost himself to be a journalist. How can it be possible that he would not call to PCR if he is aggrieved by the acts/omission of Inspr. Sharad Kohli.

B). The complainant Vijay Kumar Bharti filed a petition u/s 156(3) Cr.P CC No. R-14641/16 before Ld. MM regarding direction for registration of FIR with

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respect to the present complainant which was dismissed on 21/3/2017 by the Court of Ld. MM Ms. Shama Gupta, Rohini Courts, Delhi.

C). Thereafter, he filed a revision petition No. 119/217 on 13/7/2017 in the Court of Shri M.R. Sethi, ASJ Spl. Judge (NDPS) North, Rohini Courts, Delhi. After hearing the arguments, the Ld. ASJ passed judgement on 21/8/2017 with the decision that revision petition is dismissed as there are no merit upon consideration of facts and circumstances of the case.

D). Moreover, Inspr. Sharad Kohli is not posted at PS Sultanpuri whereas, he is performing duty in the office of DIU/OD.

Conclusion :-In view of above facts and circumstances, from the statements recorded/documents collected and overt and covert enquiry conducted into the matter it has been revealed that the allegations leveled by the complainant against Inspr. Sharad Kohli could not be substantiated. The complainant is habitual in moving various complaints against Inspr. Sharad Kohli as he has already filed a defamation case against him in the Court. The detailed report was submitted for perusal of senior officer. The same complaint has been filed."

4. Directions of PGC

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


(SUDHIR YADAV)
MEMBER(PGC)
07-3-18

Copy to:

33997-34000

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. Shri Vijay Kumar, r/o B-2/370, Sultanpuri, New Delhi-110086.