

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

GRIEVANCE NO.PGC/2018/DP/46

Date of hearing: 19th July, 2018

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| Complainant | : | Shri Indrash Krishan Shauri s/o Late Devi Dayal Shauri – Not Present |
| Respondent | : | Spl. C.P. (Vigilance)- Not present from PS Prashant Vihar |

1. Brief facts of the complaint

The complainant has filed a complaint in PGC stating that on 18.5.2018 at about 4.30 p.m., 8-10 men and 5-6 women entered in third floor and snatched their phones by showing knives and guns. They also threw their household articles. The alleged persons loaded their household articles in vehicle NO. DL1LT2248. An FIR NO. 0246 was registered in PS Prashant Vihar. The complainant further alleged that Ashok Chaudhary and his sons Aman Thakran and Raj Kishan were involved in the incident. He alleged that no action was taken by police till date and all the alleged are roaming freely. The complainant has requested for legal action in the matter.

2 Facts emerging during the proceeding

Neither an ATR has been filed nor anyone from PS Prashant Vihar is present. The commission has taken a serious view for the absence of the concerned police representative and non-filing of an ATR.

However, SHO/Prashant Vihar was pursued over the telephone for ATR in the matter, the same has been received in the PGC 26.7.2018 stating that complaint was enquired into by Inspector Vikram Singh, ATO/P.S. Prashant Vihar, stating the following :-

It is submitted that present complainant Indresh Kishan s/o Shri Devi Dayal, r/o F-2/76-77, Sector-11, Rohini, on 18.5.2018 is the complainant of case FIR NO. 246/18 u/s 342/448/452/506/34 IPC PS Prashant Vihar. The brief facts of the case are that on 18.5.2018, a PCR call was received vide DD NO. 47A and the said call was marked to SI Pancham Kumar for necessary action. After registration of FIR, the said case was marked to SI Randeep for further necessary action. The complainant stated in his complaint that he is residing at the above mentioned address for the last two years. The complainant further stated that on 18.5.2018 at about 4.30 p.m., about 8-10 men and 5-6 women entered forcefully into his house and started beating him and his family members. The complainant further stated that they all were carrying pistols and knives and they threw out all the household articles from his house and

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started loading in a tempo. The complainant identified Ashok Chaudhary, Aman and Rajkishan out of them. Accordingly, a case vide FIR No. 246/18 u/s 342/448/452/506/34 IPC dated 18.5.2018 was registered and investigation has been carried out. Hence, the complainant Indresh Kishan said the present complaint.

In this regard, it is submitted that during the course of investigation, notice u/s 91 Cr.P.C. was served to the complainant to produce the ownership documents of the said property. But the complainant did not provide any documents till date. Notice u/s 41A Cr.P.C. to the accused Aman Kumar s/o Ashok Kumar, r/o 102, Sangam Apatt. West Enclave, Pitampura and Ashok Kumar s/o Shri Randhir Singh, r/o 102, Sangam Apatt., West Enclave, Pitampura, were served upon. Accused Ashok Kumar joined the investigation. During the course of investigation it came to notice that the alleged Raj Kishan, age-66 years was the owner of the said property and he is the elder brother of the complainant. Raj Kishan was also examined and he stated that he suffered from brain hemorrhage and was unable to do his daily routine work independently as he is single and there is nobody to look after him. Hence, he called his brother Indresh to take care of him and accommodated him at the 2nd Floor of his house F-2/76-77, Sector-11 alongwith the family. But after some time, he refused to take care of him and hence a dispute arose between them. Raj Kishan further alleged that his younger brother Indresh wants to grab his property and with the ill intention he got installed an electric meter fraudulently in his name on the basis of forged documents without the consent and knowledge of him. A complaint of cheating and forgery was also filed by Raj Kishan against the complainant Indresh which is pending enquiry. During the course of investigation efforts were also made to collect the CCTV footage but no CCTV footage has been found in the area. The said tempo driver namely Ashok Kumar s/o Shri Ramesh Kumar r/o C-913, Mangolpuri, Delhi, age-33 years was also examined and he stated that the complainant Shri Indresh Kishan had hired him for shifting the household articles/furniture. He further stated that at the time of incident he was stood on roadside alongwith his tempo and he does not know what happened on there at 3rd Floor at F-2/76-77. The household articles were loaded in his tempo in proper manner and no household article/furniture was thrown out of the house. Not even a single article was damaged at the time of incident. He only knows Indresh Kishan over there. The case is pending investigation and efforts are being made to finalise this case to its logical end at the earliest.

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Keeping in view of the above said facts it is, therefore, requested that the present complaint may please be filed.”

4. Directions of PGC

The instant matter pertains to a dispute of property between the complainant and his brother. As per the police report, the complainant was accommodated by his brother at the second floor of his house to look after/take care of him but he with an ill intention to grab the property got electricity meter installed in his name fraudulently , due to which differences between the complainant and his brother arose and the present complaint is outcome of the differences. Further, as per the ATR, the complaint of cheating and forgery against the complainant is also pending enquiry.

SHO/Prashant Vihar is directed to conclude the investigation in the registered case and to finalise the enquiry on the complaint against the complainant.

With the above advice, the Commission has decided to close the case in PGC.

(SUDHIR YADAV)
MEMBER (PGC)

Copy to:

1. The Special Commissioner of Police (Vigilance), Police Headquarter, ITO, Delhi
2. The DCP/District Rohini, Sector-23, PS Begumpur, Delhi-110086
3. SHO/Police Station Prashant Vihar, Police Station Prashant Vihar, Delhi-110085
4. Shri Indrash Krishan Shauri s/o late Devi Dayal Shauri