



# HARYANA POLICE CITIZEN SERVICES (हरियाणा पुलिस नागरिक सेवा)

## FIRST INFORMATION REPORT (Under Section 154 Cr.P.C.)

प्रथम सूचना रिपोर्ट  
(धारा 154 दंड प्रक्रिया संहिता के तहत)

1. District (ज़िला): FARIDABAD P.S. (थाना): FARIDABAD CENTRAL Year (वर्ष): 2017  
FIR No. (प्र.सू.रि. सं.): 1324 Date (दिनांक): 21/11/2017  
14:27

2.

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	IPC 1860	34
2	IPC 1860	120-B
3	IPC 1860	420
4	IPC 1860	467
5	IPC 1860	468
6	IPC 1860	471
7	IPC 1860	506

3. (a) Occurrence of offence (अपराध की घटना):

1 Day (दिन): Date from (दिनांक से): Date To (दिनांक तक):  
Time Period (समय अवधि): Time From (समय से): Time To (समय तक):

(b) Information received at P.S. (थाना जहां सूचना प्राप्त हुई): Date (दिनांक): 21/11/2017 Time (समय): 10:00 hrs

(c) General Diary Reference (रोजनामचा संदर्भ): Entry No. (प्रविष्टि सं.): 011 Time (समय): 21/11/2017  
13:58 hrs

4. Type of Information (सूचना का प्रकार): Written



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#### 5. Place of Occurrence

(घटनास्थल):

1. (a) Direction and distance from P.S. (थाना से दूरी और दिशा): WEST, 0.5 Km(s) Beat No. (बीट सं.):

(b) Address (पता): COURT SEC 12 FBD,

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

#### 6. Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):

(a) Name (नाम): MR. SANJEEV KUMAR

(b) Father's Name (पिताका नाम): HAZARI LAL GOYAL

(c) Date/Year of Birth (जन्म तिथि / वर्ष): (d) Nationality (राष्ट्रीयता): INDIA  
1977

(e) UID No. (यूआईडी सं.):

(f) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि): Place of Issue (जारी करने का स्थान):

(g) Occupation (व्यवसाय):

(h) Address

(पता):

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	157/7, BANIIAWARA BALLABGARH, FBD, BALLABHGARH CITY, FARIDABAD, HARYANA, INDIA
2	Permanent Address	157/7, BANIIAWARA BALLABGARH, FBD, BALLABHGARH CITY, FARIDABAD, HARYANA, INDIA



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(i) Phone number (दूरभाष सं.): Mobile (मोबाइल सं.):

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)
1	SHYAM MANGALA		Father's Name: SH. RAMESH MANGALA
2	ANIL JINDAL		
3	MS SRS JEWELLS		

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Property Type (सम्पत्ति के प्रकार)	Sub Type (उप प्रकार)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property stolen (In Rs/-) (चोरी हुई सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

IN THE HON'BLE COURT OF LDAC.J.M., FARIDABAD COURT, FARIDABAD

Misc. Appl. No. of 2017 IN THE MATTER OF:Mr. Sanjeev Kumar (a) Sanjeev Goyal S/o Sh. Hazari



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#### (धारा 154 दंड प्रक्रिया संहिता के तहत)

Lal Goyal, R/o 157/7, Baniyawara, Ballabgarh, Faridabad-121004 Applicant VERSUS 1. Shyam Mangla S/o Sh. Ramesh Mangla R/o House No.C-595, 40 ft. Road, Chawla colony, Ballabgarh, Faridabad Also At : Rajeev Colony, Near HP Petrol Pump, Samaypur Road, Ballabgarh, Faridabad-1210042. Anil Jindal (Proprietor/Director/MD/CMD) M/s SRS Jewells (A unit of SRS Limited), SRS Multiplex, Ground Floor, City Center, Sector-12, Faridabad-1210073. M/s SRS Jewells (A unit of SRS Limited), (Through its Manager/Director(s)/MD/CMD) Regd. Off: SRS Tower, 305 307, IIIrd Floor, Near Mewla Maharajpur Metro Station) Mathura Road, Faridabad-1210034. Other unknown person(s) Accused P.S.-Central, Faridabad APPLICATION UNDER SECTION 156(3) Cr.P.C. Most Respectfully Showeth: 1. That the applicant Mr. Sanjeev Kumar (a) Sanjeev Goyal is a peace loving, law abiding citizen, resident of the address mentioned above and is engaged in business of grocery items. 2. He was having friendly relations with accused no. 1 Shyam Mangla who approached the applicant for the financial assistance some times. The applicant having co-ordial relations with the accused no.1, extended the financial assistance as friendly loan and the said loan amount reached a figure of Rs. 10,00,000/- (Ten Lacs). The applicant asked him to return his money and he was assured for the same till April 2016 but accused no.1 didn't return the money/fulfill his promises and kept on delaying the same on one or another pretext till June 2016. 3. That in June 2016, upon demand of the money by the applicant accused no. 1 said that he has no money in cash but he has some dues against Anil Jindal (accused no.2) and I can arrange if you wish to buy jewellery against the said loans dues of Rs. Ten Lacs. The accused no.1 assured the applicant about the quantity, quality and price of the said jewellery. 4. That upon continued insistence of the accused no.1 and to recover his money from the accused no.1, the applicant became ready to buy jewellery worth Rs. Ten Lacs in place of cash and for the same purpose he was taken to M/s SRS Jewells (A Unit of SRS Limited) where he met with Anil Jindal who represented himself as owner of M/s SRS Jewells and assured him that they sale the hallmarked certified jewellery and assured the applicant about the quality, quantity and price of the jewellery sold by him. Upon said assurance, the applicant purchased the jewellery in his own name and the name of Ms. Rupali Aggarwal (Wife), Ms. Kusum Goyal (sister in law), and Vinod Kumar Goyal (brother) Vide invoice nos. (SL-708\_104/16-17, SL-707\_104/16-17, SL-705\_104/16-17, SL-706\_104/16-17, annexed as Annexure "A" (collectively) all dated 04.07.2016 Worth Rs. 10,00,800/- against his loan amount of Rs. Ten Lacs due against accused no.1 given as friendly loan. In the above said manner the loan amount was settled as repaid by the accused no.1. Authenticity Certificate in respect of above said jewellery given by the accused No.2 3 are Annexure-"B". 5. That in the month of May 2017, the applicant was in need of some money and he tried to take loan on the said jewellery or sale the same in the market. For the said purpose he went to some jewellers in market and tried for a loan on jewellery or sale the same but surprisingly the above mentioned jewellery was evaluated by most of the jewellers in the market worth Rs. Two lacs or two lacs twenty five thousands only. One Government approved valuer M/s Gupta Jewellery House evaluated the said jewellery for maximum Rs. 2,32,677/- (Two lacs thirty two thousand six hundred and seventy seven Rs. Only). The applicant was also told that the price/value of the said jewellery could never have been more than Two lacs fifty thousand at any point of time. The applicant was surprised and stunned after knowing the above said fact and for confirmation he obtained the valuation report of the said jewellery from M/s Gupta Jewellery House (Annexure "C"). 6. That the applicant after obtaining the valuation report of the jewellery, contacted accused no.1



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i.e. Shyam Mangla and stated him the above said facts but accused no. 1 didn't accept his guilt and shifted the accusation on the shoulders of the accused no. 2 3 though he had no plausible explanation for the same. The applicant after discussion with accused no.1 realised that he has been fooled and cheated by the accused no.1 in connivance with the other accused by hatching the conspiracy to get rid of the payment of the loan amount taken from the applicant.7. That there is a recorded conversation between the applicant and accused No.1 which clearly shows/ proves that accused No.1 was having knowledge and ill intention from the beginning to any how avoid the repayment of loan and he conspired for the same in connivance with other accused persons. The Audio CD is annexed as Annexure- "D" alongwith this application. 8. That applicant many times requested the accused no.1 to return his hard earned money and take back the above said jewellery, also approached the accused no. 2 3 and requested them get the jewellery back and to return his hard earned money but he was flatly denied and further threatened not to make efforts in the matter otherwise he will be killed. 9. That the accused no. 1 (with malafide intention/object to avoid and get rid off the payment of loan taken by him from the applicant), in connivance with accused no.2, 3 other, hatched a conspiracy and suggested/insisted/deceived the applicant to purchase the jewellery from accused no.2 3 in lieu of his loan amount. Accused no.2 3 having common intention, in pursuance of the said conspiracy, dishonestly and fraudulently sold the jewellery of less price/value (worth Rs. 2,32,677) against Rs. 10,00,000/- despite knowing that jewellery is of low value. The accused persons also forged and fabricated the false certificate in respect of the authenticity and quality of the said jewellery. 10. That the accused persons dishonestly with common intention induced the applicant to settle his loan amount against the jewellery items, fraudulently assured him about the quantity, quality and price and sold him the jewellery of low value (worth Rs. 2,32,677) against Rs 10,00,000/- thereby cheated and caused wrongful gain to themselves and wrongful loss to the applicant. They further threatened to kill the applicant if he takes any action against them. 11. That by the above said facts it is crystal clear that the accused persons have committed the offences u/s 34, 120-B, 420, 467,468, 471 506 of IPC. The applicant approached the SHO, PS- Central, Faridabad by moving a complaint (Annexure "E") dated 22.05.2017 (diary no. 161-5P-II) against the accused persons but no action was taken by the police. The applicant also approached the Commissioner of Police, Faridabad vide complaint (Annexure "F") dated 23.08.2017 but no action was taken by the police. Thereafter applicant moved a complaint on CM Window (Annexure "G") vide Receipt no. CMOFF/N/2017/105466 dated 07.09.2017. Status of the same is shown as on 03.11.2017 is "matter is of civil nature, no cognizable offence is made out (Annexure H )12. That as various cognizable offences punishable u/s 34, 120-B, 420,467,468,471 506 of IPC have been committed in the jurisdiction of PS-Central, Faridabad. The police authorities were approached by the applicant by way of complaints (Annexure "E", "F" "G") but no action has been taken by the police against the accused persons though they are duty bound to do so as per the judgment of Hon'ble Supreme Court in Lallan Chaudhary Ors Vs. State Of Bihar Anr. 2006 (3) JCC 1731 and also the landmark judgments in Ramesh Kumari Vs. State (N.C.T. of Delhi) Ors. 2006 I AD (Cr) S.C. 505 AND State of Haryana and Others Vs. Bhajan Lal and Others 1992 Supp (1) SCC 335. Reliance is placed on the recent judgment of the Hon'ble Supreme Court titled Lalita Kumari Versus State of U.P. Writ Petn. (Crl) No. 68/2008 with SLP (Cri) No. 5986/2006, 5200/2009, decided on 12.11.2013, wherein it has been held in Para 11: i Registration of FIR is mandatory under section 154 of the Code,



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if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation. ii If the information does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not. iii If the information discloses the commission of a cognizable offence, the offence must be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant forthwith and not later than one week. It must disclose reasons in brief for closing the complaint and not proceeding further. Iv The police officer cannot avoid his duty of registering offence if cognizable offence is disclosed Action must be taken against erring officers who do not register FIR if information received by him discloses a cognizable offence 13. That fair investigation is the pillar of the Administration of justice and in absence of fair investigation no justice can be delivered. The investigation done by police on the complaint of applicant is completely biased and tented one. The police merely recorded the statement of complainant and accused No. 1 and despite admission by the accused No. 1 about the factum of purchase of jewellery by the applicant and transaction between the applicant and accused No.2 3, police neither called accused No.2 3 for further investigation nor enquired / asked or seized any document / certificate from them. Which clearly shows that police/ I.O. in connivance with the accused persons did not enquires investigation the matter properly. Further the applicant also provided the Audio CD of conversation between the applicant and accused No.1 which also shows the knowledge, ill intention, acts and conducts of the accused persons but the same was not taken into consideration by the police during investigation (Annexure "D"). Pertenently the complaint of the applicant has been disposed off by the police with some other complaint (bearing No.CMOFF/N/2017/105477, complainant's name - Virender Kumar), of different nature by different complainant (as shown in the status./ ATR of the complaint of applicant on CM Grievance Redressal System). Moreover the above said Audio CD has been no where mention in the said status / ATR report.14. That as the accused persons hatched the conspiracy with common intention, deceived, cheated the applicant and thereby caused wrongful gain to themselves and wrongful loss to the applicant further threatened to kill him, thus the offences involving mens rea (guilty intention), it is needed to bring the evidences showing the dishonest intention, connivance and conspiracy of the accused persons which is possible only through the thorough investigation by the police as there would be outcome in the investigation that:-(a) To nab the accused persons and find out the connection of the accused persons with each other. (b)To establish if the accused persons have any other culprits/associates in committing the criminal conspiracy/cheating. To identify those unknown accused persons and to nab them. (c) To find out the nexus between the accused persons. (d)To seize the ledgers/books of accounts/fake certificates and enquire about if any to find out how many other people have been cheated, cases of such fraud and/or other complaint/ offences are pending against the accused persons and establish if the accused persons had the criminal background? (e)To discover previous and subsequent conduct of the accused persons so as to procure evidence to prove the dishonest intention? 15. That all these facts require the thorough investigation by the police and also all these facts are to be produced before this Hon'ble Court, which is possible only when there is a thorough and fair police investigation as it is not possible for the applicant in its own capacity. Though the applicant has deep faith in police officials but has no hope to get his grievance settled by police authorities, hence prefers this application and prays before this



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Hon'ble Court. PRAYER It is, therefore, most respectfully prayed :- (i) That this Hon'ble Court may kindly be pleased to call the status/ ATR Police. (ii) To issue directions to the S.H.O. P.S. Central, Faridabad to register a case against the said accused persons and to investigate the matter further and to submit their final report in this regard. (iii) to Monitor the investigation of the case. Date: -17.11.2017 Complainant SD- SANJEEV KUMAR Place: Faridabad Through Counsels:. Manoj Kumar Sharma and Lakiranslar Chamber No. 33, Lawyer's Chambers, Dist. Court, Sector-12, Faridabad – 121007 अज थाना - हस्ब आमद ईसतगासा उपरोक्त के मजबुन से सुरत जुर्म जैर धारा 34, 120B, 420, 467, 468, 471, 506 IPC का होना पाया जाने पर मुकदमा न० 1324 दिनांक 21.11.2017 धारा 34, 120B, 420, 467, 468, 471, 506 IPC थाना सैन्ट्रल फरीदाबाद दर्ज रजिस्टर किया जाकर प्रथम सुचना रिपोर्ट कि प्रतिया नियमानुसार कम्प्युटर द्वारा तैयार करवाके बजरीया डाक अफसरान बाला कि सेवा मे भेजी जाएगी। नकल मिशल पुलिस मय असल दरखास्त आगामी कार्यवाही हेतु मन SI के हवाले की गई। जो आईन्दा कावार्यवाही अमल मे लाई जायेगी।

#### 13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

- (1) Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): or ( या)
- (2) Directed (Name of I.O.) (जांच अधिकारी का नाम): Rank (पद): SI (Sub-Inspector)  
Madan Gopal  
No. (सं.): 202 to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)
- (3) Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)
- (4) Transferred to P.S. (थाना): District (ज़िला):  
on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).



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F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost. (शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C. (आर.ओ.ए.सी.)

14. Signature / Thumb impression of the complainant /

informant (शिकायतकर्ता /

सूचनाकर्ता के हस्ताक्षर /अंगूठे

का निशान)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): rajdeep singh

Rank (पद): I (Inspector)

No. (सं.): pp

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):



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Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: ( If known / seen )

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	Male	1987				Is Proxitted: Yes
2	Male	1982				Is Proxitted: Yes
3	Male	1977				Is Proxitted: Yes

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s)(आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)



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