IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CRL.) 3499 OF 2024

M/s PAS Construction And Engineering Company Private Limited **...Petitioner(s)**

VERSUS

The State of Rajasthan & Anr. **...Respondent(s)**

O R D E R

The petitioner herein is aggrieved with the order of the High Court of Judicature at Rajasthan which refused to interfere with the order of the Judicial Magistrate of First Class, Ramgarh, Alwar accepting the negative final report filed by the Investigating Officer in F.I.R. No. 534 of 2012 registered on 03.10.2012 at Police Station Ramgarh District, Alwar.

2. The genesis of the complaint was the production of a conveyance deed presented on behalf of a company named "*M/s PAS Construction And Engineering Company Private Limited*" through its Director, Sh. Dharmendra Singh in favour of prospective purchasers. When the deed was produced for registration at the Sub Registrar's Office, the registering authority raised a suspicion and called for the prior documents, upon which the representative of the vendor left the original deed with the Sub Registrar's Office, promising to return with the prior deeds. The Tehsildar suspected fraud and authorised a Class IV employee of the Sub Registrar's Office to file a first information before the Ramgarh Police Station leading to the registration of the F.I.R. Later, after investigation, the police filed a negative report which was accepted by the Learned Magistrate leading to the petition under Section 482

of the Criminal Procedure Code[1] before the High Court; which stood dismissed.

3. The learned Counsel for the petitioner submitted that in the F.I.R., the actual Director of the Company was named as having produced the documents indicating that Sh. Dharmendra Singh was misrepresenting and impersonating as the Director of the Company. It is vehemently argued that when the matter was closed, the de facto complaint, the petitioner was never informed. The petitioner has initiated a Civil Suit, on the closure of the case, since the Sub Registrar was attempting to register the document. It is argued that the petitioner should have been informed before the negative final report was accepted and closure was made.

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1 "The Cr. P. C."

4. We have gone through the F.I.R. which was registered on the information of the Class IV employee from the office of the Sub Registrar. The Tehsildar suspected the genuineness of the transaction which was sought to be registered, summoned the person having possession of the land pursuant to which the Director representing the petitioner company, produced documents and submitted a letter alleging impersonation by the person who presented the conveyance deed.

5. The F.I.R. is produced along with the records. We see that the investigation was carried out and the statement of Sh. Dharmendra Singh recorded by the Investigating Officer clearly indicating that he was the Director of the Company. Some documents are also referred to therein and the case was closed. We hasten to add that we have

merely spoken of the final report and not given it our stamp of approval.

6. We notice that the complaint was not by the petitioner herein and was by the personnel of the Sub Registrar's Office. The petitioner was aware of such impersonation and as noticed by the learned Single Judge, the petitioner ought to have taken appropriate steps to prosecute the alleged crime of impersonation and misrepresentation, which the petitioner did not attempt. The petitioner also has filed a Civil Suit in which there is said to be an interim stay; as noticed by the learned Single Judge. The learned Single Judge left the petitioner to appropriate remedies but refused to interfere with the closure of the case. We also find absolutely no reason to upturn the findings of the learned Single Judge. As noticed by the learned Single Judge the

petitioner has remedies and if he resorts to proceed accordingly, necessarily the investigation already carried out cannot regulate the matter. With the above observation, the Special Leave Petition stands dismissed.

7. Pending application(s), if any, shall stand disposed of.

....., J.
[SUDHANSHU DHULIA]

....., J.
[K. VINOD CHANDRAN]

NEW DELHI;
MARCH 19, 2025.

ITEM NO.13-A COURT NO.12
SECTION II

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3499/2024

[Arising out of impugned final judgment and order dated 11-01-2024 in SBCMP No. 4094/2013 passed by the High Court of Judicature for Rajasthan at Jaipur]

M/S PAS CONSTRUCTION AND ENGINEERING COMPANY PRIVATE LIMITED Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ANR. Respondent(s)

(IA No. 61363/2024 - EXEMPTION FROM FILING O.T.)

Date : 19-03-2025/05-04-2025

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Vikas Pahwa, Sr. Adv.
Ms. Madhu Sharan, Adv.
Mr. Somesh Chandra Jha, Adv.

Ms. Namisha Jain, Adv.

Mr. Animesh Rajoriya, Adv.

M/S. Sharan & Associates, AOR

For Respondent(s) : Mr. S. Udaya Kumar Sagar, AOR

UPON hearing the counsel the Court made the following

O R D E R

On 19.03.2025, the following order was passed :-

"After hearing learned counsel for the parties, we see absolutely no reason to interfere with the impugned order in exercise of our jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is, accordingly, dismissed.

Reasons to follow.

Pending interlocutory application(s), if any, is/are disposed of."

The reasoned order is being uploaded today i.e. on 05.04.2025.

(JAYANT KUMAR ARORA) **(RENU BALA GAMBHIR)**

ASTT. REGISTRAR-cum-PS **ASSISTANT REGISTRAR**

(Signed order is placed on the file)

ITEM NO.13 COURT NO.12 SECTION II

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 3499/2024

[Arising out of impugned final judgment and order dated 11-01-2024 in SBCMP No. 4094/2013 passed by the High Court of Judicature for Rajasthan at Jaipur]

M/S PAS CONSTRUCTION AND ENGINEERING

COMPANY PRIVATE LIMITED Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ANR. Respondent(s)

(IA No. 61363/2024 - EXEMPTION FROM FILING O.T.)

Date : 19-03-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SUDHANSHU DHULIA

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Mr. Vikas Pahwa, Sr. Adv.

Ms. Madhu Sharan, Adv.

Mr. Somesh Chandra Jha, Adv.

Ms. Namisha Jain, Adv.

Mr. Animesh Rajoriya, Adv.

M/S. Sharan & Associates, AOR

For Respondent(s) : Mr. S.. Udaya Kumar Sagar, AOR

UPON hearing the counsel the Court made the following

O R D E R

After hearing learned counsel for the parties, we see absolutely no reason to interfere with the impugned order in exercise of our jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is, accordingly, dismissed.

Reasons to follow.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA) **(RENU BALA GAMBHIR)**

ASTT.REGISTRAR-cum-PS **ASSISTANT REGISTRAR**