

Case :- CRIMINAL REVISION No. - 290 of 2021

Revisionist :- Vartika Singh

Opposite Party :- State Of U.P. Thru. S.P. District Amethi And 3 Ors.

Counsel for Revisionist :- Sukh Deo Singh,Arbind Kumar Singh,Paritosh Shukla,Rohit Kumar Tripathi

Counsel for Opposite Party :- G.A.,Anurag Kumar Singh,Prashant Singh Atal

Hon'ble Dinesh Kumar Singh,J.

1. On the last date, i.e. 11.7.2022, no one appeared on behalf of the revisionist to press this revision. However, Sri Anurag Kumar Singh, learned counsel for opposite party no.3 was present. The case was directed to be listed in the next cause list peremptorily and thus, today the case is listed peremptorily. In the first call, no one has put in appearance on behalf of the revisionist and, therefore, the case was kept in the revised call. Even in the revised call, no one has put in appearance on behalf of the revisionist to press this revision despite the case being listed peremptorily. The Court has no option but to decide the revision ex-part after hearing Sri Anurag Kumar Singh, learned counsel for opposite party no.3 and Sri V.K. Shahi, learned Additional Advocate General assisted by Sri Anurag Varma, learned AGA for the State.

2. The present revision under Section 397 read with Section 401 Cr.P.C. has been filed impugning the order dated 20.2.2021 passed by the Special Judge (MP/MLA Court)/Additional Session Judge, FTC-1, Sultanpur in Misc. Case No.05 of 2020 on an application under section 156(3) Cr.P.C. filed by the revisionist.

3. The facts as mentioned in the application under section 156(3) Cr.P.C. in brief, would read as under:-

a. The revisionist claimed to be the international shooter and

VERDICTUM.IN

winner of the President Gold Medal. She claimed to be the student of Indraprastha College, Delhi University and she had imparted the training to 2017 Batch of IPS officers. Besides this, she imparted training to women candidates of BSF in Bihar, Uttar Pradesh and Punjab and invitations were extended by the Chief Ministers of the States. She further claimed that she had imparted shooting training to the children of the Chief Minister of the Punjab and the children of Mrs. Priyanka Gandhi. She has been honoured by the Prime Minister and the Government of Uttar Pradesh as Chief Guest in several schemes. She has also been honoured by several officers, MPs and MLAs. She has been coach of Doon Valley School. She has been honoured by SIE and Delhi University and different political organizations.

b. In paragraph three of her application, she alleged that at the time of lock down in March, 2020 because of spread of pandemic COVID-19, she received a telephone call from an unknown person, who told her his name as Dr. Rajnsih Singh S/o Ram Pratap Singh, resident of District Ayodhya from mobile nos.9651070000 and 9451110102 and introduced himself as Advisor in Food Processing Department and he also showed his photograph with the Central and the State leaders. During the course of conversation, he said that he was closed to the Cabinet Minister, Mrs. Smriti Irani and he was having close relation with her Secretary, Vijay Gupta. Dr. Rajnish Singh further said that he had already talked to Mrs. Smriti Irani and her Secretary, Vijay Gupta to nominate the revisionist/complainant in National Woman Commission as a member.

c. The revisionist gave her bio-data and photocopy of the certificates. On 10.6.2020, a letter was shared with the revisionist signed by Mrs. Smriti Irani, which was addressed to

VERDICTUM.IN

the Prime Minister of the Country. Second letter dated 22.6.2020 was addressed by One M.C. Jauhari, IAS to the Superintendent of Police, Pratapgarh. Sri Jauhri asked the Superintendent of Police, Pratapgarh to send the complainant's certificates regarding her educational qualifications, sources of income and criminal antecedents, if any, within thirty days from the receipt of the letter. Thereafter, one Satish Kuamr, who told that he was from the Local Intelligence Unit having mobile no.9554481459 talked to the complainant/revisionist and believing in him, she met with the said Satish Kumar with her parents in Hazratganj, Lucknow and gave her self-attested certificates etc. to him. The complainant/revisionist, however, suspected the credentials of Satish Kumar and she clicked his three photographs clandestinely. On 26.6.2020, she went to the office of the Superintendent of Police, Pratapgarh to verify the letter allegedly addressed by Sri M.C. Jauhari, IAS. However, no such letter was received in the office of the Superintendent of Police, Pratapgarh nor she could get any information regarding Satish Kumar, alleged LIU person. When she contacted Dr. Rajnish Singh and inquired about the truthfulness of the letters etc., he said that he would speak to Vijay Gupta and Mrs. Smriti Irani.

d. Thereafter, Dr. Rajnish Singh sent third letter on her Whatsapp, which was not signed by anyone, but the office number was mentioned in the letter. This letter was in respect of her nomination as Member in the National Woman Commission. Dr. Rajnish Singh demanded Rs.25,00,000/- (Rupees Twenty Five Lakhs) from her for her nomination as Member in the National Woman Commission and for signing of the letter by Mrs. Smriti Irani. However, the complainant/revisionist refused to give the bribe and then it was said that she would not be nominated and Dr. Rajnish Singh

VERDICTUM.IN

used the word "Yaar" (Dear). Further allegation is that Dr. Rajnish Singh and Vijay Gupta, Secretary of Mrs. Smriti Irani, Cabinet Minister continued to demand Rs.25,00,000/- (Rupees Twenty Five Lakhs) for eight months.

e. On 20.11.2020, the revisionist went to the official residence of Mrs. Smriti Irani in New Delhi and showed the three letters, which were shared by Dr. Rajnish Singh with her. The revisionist was asked to take back the money, but the complainant said that when she had not paid, there was no occasion for her to take money back. All the three letters were taken back and the complainant was asked to go back. She believed that a fraud was being committed with her to cheat her of Rs.25,00,000/- and in this fraud, Mrs. Smriti Irani, Cabinet Minister was also fully involved. It was further said that the complainant/revisionist possessed mobile recording and the electronic evidence, however, the Station House Officer, Musafirkhana did not register FIR on complaint sent by the revisionist on 17.12.2020. Thereafter, the revisionist sent a complaint to the Senior Superintendent of Police, Amethi, however, no FIR was registered.

4. On this application, learned Special Judge, MP/MLA Court called for police report from the concerned police station. The police submitted its report, in which it is said that an FIR at Case Crime No.402 of 2020, under Sections 509 IPC and Section 66/67 Information Technology Act was registered against the revisionist and one Kamal Kishore, Commando and during the investigating the offence, offences under Sections 419, 420, 467, 468 and 471 IPC were added. The investigation was still on in respect of the said offence and as per the evidence collected during the course of investigation, there was sufficient evidence against the revisionist for offences under Sections 419, 420, 467, 468 and 471 IPC. It was further said

VERDICTUM.IN

that the revisionist had deliberately manufactured and forged the documents and she declared herself as Member of the National Woman Commission. It was also said that the investigation was on against Dr. Rajnish Singh.

5. On further investigation, it was found that D.O. No.212 MOT/19, dated 19.8.2019 was issued from the office of the Cabinet Minister, Women, Child Welfare and Textile Minister in respect of setting up of 50 bed hospital in Salon Constituency of Raebareli. However, the revisionist got this letter forged and on 10.2.2020 on the basis of this letter, she made an application for nomination as Member of the National Woman Commission. The police in its report also mentioned that there is another case registered against the revisionist at Case Crime No.99 of 2019, under Sections 352, 452, 504 and 506 IPC at Police Station Ram Janam Bhumi, District Ayodhya. There was also a case registered at Case Crime No.174 of 2020, under Sections 467, 471, 420 and 511 IPC and Case No.599 of 2020 at Police Station, Parliament House, New Delhi. One another case was also registered at Case Crime No.9 of 2020, under Section 506 IPC at Police Station Tughlak Road, New Delhi. The police in its report denied the allegations levelled by the complainant/revisionist and it was said that she forged the documents to declare herself as Member of the National Woman Commission, in respect of which a case has been registered against the complainant/revisionist and the investigation was on.

6. Learned Special Judge after considering the police report and the documents, held that after an FIR came to be registered on 20.11.2020 in respect of forged documents prepared by the complainant/revisionist, she filed an application under Section 156(3) Cr.P.C. levelling serious charges against the Central Minister and other persons. It is further held that allegations are

VERDICTUM.IN

already under investigation and, therefore, there is no question of direction for lodging the second FIR for the allegations made in the application under Section 156(3) Cr.P.C. Therefore, learned Special Judge rejected the said application vide impugned order.

7. Sri Anurag Kumar Singh, learned counsel for opposite party no.3 has submitted that several cases for forging the documents etc. have been registered against the complainant/revisionist. In respect of her claim for nomination as Member of the National Woman Commission, the investigation is already on. He, therefore, submits that the learned Special Judge has taken the correct view that no second FIR can be directed to be registered for the allegations contained in the application under Section 156(3) Cr.P.C.

8. Sri Anurag Varma, learned AGA has reiterated the submissions made by Sri Anurag Kumar Singh, learned counsel for opposite party no.3.

9. I have considered the submissions advanced by the learned counsel for opposite party no.3 as well as by learned AGA.

10. The matter is still under investigation that whether the claim of the complainant/revisionist is based on the forged and fabricated documents or not. There is already an FIR registered against the revisionist and, therefore, I am of the view that the learned Special Judge, MP/MLA Court has taken the correct view in rejecting the application under Section 156(3) Cr.P.C. There is no error of law or jurisdiction in the impugned order, which requires this Court to interfere with the same in exercise of its revisional jurisdiction.

11. Revision being devoid of merit and substance, is hereby ***dismissed.***

Order Date :- 25.7.2022

Rao/-