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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 23<sup>rd</sup> April, 2025*

+ **CRL.M.C. 3544/2021, CRL.M.A. 21024/2021**

RAVISHKANT SINGH .....Petitioner

Through: Ms. Sonika Tyagi, Advocate.

versus

1. STATE OF NCT OF DELHI .....Respondent No. 1
2. RUCHIKA RANI  
D/o Ram Krishna Rana  
R/o A-8/13, Ganga Village, Handewadi Road,  
Hadapsur, Pune, Maharashtra-411028 ....Respondent No. 2
3. GAURAV RANA  
S/o Ram Krishna Rana  
R/o Village-Mungal Post, Galoo Mungal,  
Tehsil-Jaisinghpur District, Kangra  
Himachal Pradesh-176088 .....Respondent No. 3
4. RAM KRISHNA RANA  
R/o Village-Mungal Post, Galoo Mungal,  
Tehsil-Jaisinghpur District, Kangra  
Himachal Pradesh-176088 .....Respondent No. 4
5. REETA RANA  
W/o Ram Krishna Rana,  
R/o Village-Mungal Post, Galoo Mungal,  
Tehsil-Jaisinghpur District, Kangra  
Himachal Pradesh-176088 .....Respondent No. 5



Through: Mr. Utkarsh, APP for the State.

**CORAM:**  
**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**J U D G M E N T (Oral)**

1. Petition under Section 482 of the *Code of Criminal Procedure, 1973* ('Cr.P.C.' *hereinafter*) has been filed on behalf of the Petitioner-Ravishkant Singh to set aside the Order dated 09.04.2021 of the Ld. ASJ, upholding the Order dated 31.08.2020 of MM dismissing the Application under Section 156(3) Cr.P.C. filed along with the Complaint Case No. 765/2020.
2. ***Briefly stated***, in March 2017, the Petitioner/Complainant-Ravishkant Singh got in touch with Respondent No. 2- Ruchika Rana while taking online coaching for UPSC examination who messaged him and asked for his phone number and thereafter, they started talking and developed a relationship. At this time, the Petitioner/Complainant resided in Delhi while Respondent No.2- resided in Pune. As per the Complaint, Respondent No. 2- Ruchika Rana told the Petitioner that she wished to marry him, but then in May, 2017 she revealed that she was having disputes with her husband. Upset with this information, he confronted her for not disclosing earlier that she was already married to which she replied that had she told about this to him, he wouldn't have continued their relationship and assured him that she was in the process of taking a divorce. The Petitioner went to Pune on the request of Respondent No.2 and gave her Rs. 20,000/- on her request. Thereafter their interactions increased and they decided to get married as



soon as the divorce of Respondent No.2 was concluded. She started sending her nude photos to the Petitioner.

3. It is alleged that from time-to-time Respondent No. 2 demanded money which was sent by the Petitioner/Complainant either through UPI or through Bank transactions, including Rs. 6,000 in the month of September 2017.

4. Respondent No. 2 came to live with the Petitioner on 31.12.2017 and stayed till March, 2018, but refused to get married on one pretext or the other. Allegedly, during these three months, she cheated him of sum of about Rs. 70,000-80,000/-. On 17.03.2018 Respondent No. 2 left the Applicant by stating that she will return to the Petitioner after her SSC exam, but she did not return till May 2019. It is alleged that during this time, she was able to induce the Complainant to give more money.

5. On 20.05.2019 at around 03:30 AM, Respondent No. 2 called the Complainant to come to car bearing No. HP563075 near his house. When he reached near the car, two people grabbed him from his back, covered his mouth and forcibly pushed him into the car, tied his hands and feet and put a bedsheet on him. It is alleged that Smt. Reeta Rana/Respondent No. 5, mother of Respondent No. 2 was also in the car and she slapped him. At the same time, Respondent No.2 went into his house and brought his Laptop, Mobile phone, pen drive, hard disk, Certificates, purse containing Rs. 5,500 and Rs. 20,000 cash from the Almirah in his room. Thereafter, he was taken to a Flat in Chandigarh, where he was given beatings by Respondent No. 3 – Gaurav Rana, brother of Respondent No. 2 and Respondent No. 5- Reeta Rana. It is also alleged that Ruchika Rana, Respondent No. 2 made a video



of the Complainant after removing all his clothes. The Petitioner/Complainant was forced to write a *Confession Letter* under the threat that his video would be made viral on social media if he contacted the police Authorities. Respondent No. 3, Gaurav Rana telephonically asked for Ransom of Rs. 10,00,000/- from the Petitioner's father.

6. The petitioner was then locked in a separate room from where he was able to escape through the window and reached his home in Delhi at 9 PM.

7. The Petitioner/Complainant then filed a written Complaint dated 02.02.2020 at Police Station, Jagatpuri which was registered on 04.02.2020 vide DD No. 17A; he also complained to DCP-East, Shahdara, Delhi but no action was taken.

8. Thereafter, Complaint Case 765/20 was filed under Section 200 Cr.P.C. along with Application under 156(3) Cr.P.C. which was dismissed vide Order 31.08.2020 on the ground that the parties were legally wedded, and this was essentially a case of marital discord. Further, it was observed that all the evidence was within the control of the Complainant and no investigation was required by the Police for which recourse could also be taken to Section 202 Cr.P.C. The cognizance was taken on the Complaint and the matter was listed for *pre-summoning evidence*.

9. The Petitioner preferred a Revision petition against Order dated 31.08.2020 before the ASJ who was also upheld the Order of Ld. MM by declining to issue direction under Section 156(3) Cr.P.C. for registration of FIR, vide Order dated 09.04.2021.

10. Aggrieved by the said Order dated 31.08.2020 of Ld. ASJ, the present Petition has been filed by the Petitioner.



11. The *grounds of challenge* are that Ld. ASJ has failed to consider the gravity of the situation wherein the Respondents abducted him forcibly, wrongfully restrained and confined in a Locked room, recorded nude videos, threatened and beat him, which are all serious crimes done in a preplanned manner. Therefore, Respondents are liable to be prosecuted under the Sections 321/327/330/336/342/347/348/365/368/384/392/394/420/120-B/34 of IPC after lodging an FIR against them.

12. It is asserted that Ld. MM had *wrongly observed that the Respondent No. 2 and the Petitioner/Complainant are legally wedded and there is a marital discord between them*, which is factually incorrect as they both never got married.

13. Moreover, it has not been appreciated by the Ld. MM and thereafter by Ld. ASJ that police investigation is required to collect evidence regarding phone location of Respondents, CDRs, Toll Receipts, CCTV footage and recovery of Petitioner's mobile phone, pen drive, hard disk, money and Certificates, Etc. that were stolen from his House by the Respondents. Therefore, Police assistance is required for collection of valuable evidence which cannot be produced by the Petitioner. Pertinently, the alleged Confession Letter forcibly obtained from the Petitioner, was filed by Respondent No. 2 in another pending litigation in Mumbai.

14. Therefore, it is prayed that the impugned Order dated 09.04.2021 be set aside and FIR be directed to be registered.

15. *The Ld. APP for State* has vehemently opposed the present Petition on the ground that the impugned Order of Ld. ASJ is well reasoned and does



not suffer from any infirmity. The Petition is therefore, liable to be dismissed.

16. The Respondents Nos. 2 to 5 were served *vide* Order dated 04.02.2022 and Counsel for Respondents No. 2 to 5 had sought time to file the Reply on 11.01.2023, however, no Reply has been filed till date.

**17. Submissions Heard and Record Perused.**

18. Essentially, the Petitioner is aggrieved by dismissal of his Application under 156(3) Cr.P.C. by Ld. MM *vide* Order dated 31.08.2020 which has been upheld by the Ld. ASJ *vide* Impugned Order dated 09.04.2021, on the sole ground that all the evidence is not in his possession and police assistance is required to collect evidence such as CDRs, Toll Receipts, CCTV footage, and Petitioner's Laptop, Mobile phone, pen drive, hard disk, certificates, purse, etc.

**19. Significantly, this case has its genesis in a relationship between the Petitioner and the Respondent No.1 having gone sour.** According to the Petitioner, he was abducted from this house by the Respondent nos. 2 to 5 on 20.05.2019 and articles were taken away by Respondents from his house. Pertinently, as per his own case, while he was kept confined in a house in Chandigarh, he was somehow able to free himself and escape and return back to Delhi on the same day at about 09.00 P.M. Despite the incident having taken place on 20.05.2019, the Complaint to the police has been made on 04.02.2020 i.e. after about 7 months. Further, there was no ground given in the Application under 156(3) Cr.P.C. regarding the police assistance required for collection of evidence which has been disclosed by him in his



Revision petition filed before the learned ASJ that evidence by way of CDR records, Toll receipts, Video, mobile phone etc. has to be collected.

20. Firstly, has been rightly noted by the learned Trial Court that this Complaint has come up of consideration after a long time of the alleged incident. The evidence sought to be recovered is remote and also is within the knowledge of the Petitioner.

21. Furthermore, his assertion that police investigations are required for collecting and recovering the stolen goods, this power vests even under Section 202 Cr.P.C. wherein the learned Trial Court can seek the police assistance, if required in the given circumstances.

22. Another aspect which needs to be mentioned is that after the dismissal of Application under 156(3) Cr.P.C., the cognizance has already been taken on the Complaint under 200 Cr.P.C. by the learned MM and the evidence of the Petitioner has commenced.

23. Once the cognizance has been taken on the Complaint, the Court cannot revert back to the pre-cognizance stage at which the Application under Section 156(3) Cr.P.C was considered. In view of the aforesaid discussion, it is held that there is no merit in the present Petition which is hereby dismissed.

24. The learned MM has rightly declined to direct registration of FIR under 156(3) Cr.P.C. which Order has been rightly upheld by learned ASJ. There is no infirmity in the impugned Orders.

25. The Petition is disposed of accordingly, along with pending Applications.

2025:DHC:3003



**(NEENA BANSAL KRISHNA)  
JUDGE**

**APRIL 23, 2025/RS**