

LOKPAL OF INDIA
[Plot No. 6, Institutional Area, Phase-II, Vasant Kunj]
New Delhi - 110070

Complaint No. : 1636/2022.
Date : 1st March, 2023.
Coram : **Justice Abhilasha Kumari**
Judicial Member
Shri Mahender Singh
Member
Dr. Indrajeet P.Gautam
Member

ORDER

In this non-format complaint, the complainant has made allegations against the SHO, Safdarjung Enclave and the Joint C.P., Delhi Range, for registering a false FIR, at the instance of the kingpin and mastermind of the BITCOIN scamster, in order to protect him from paying back the money he has defrauded from the victims.

2. The complaint received the consideration of the Full Bench of the Lokpal of India on 24.03.2022, and by the order of that date, the CBI was directed to conduct a Preliminary Inquiry under Section (1)(a) of the Lokpal and Lokayuktas Act, 2013, and file the report on, or before, 02.05.2022.

3. The CBI requested for extension of time by three months vide letter dated 05.05.2022, which was granted. Thereafter, by another letter dated 15.06.2022, the CBI requested for permission to examine the complainant, in order to ascertain/collect further information, documents. However, by an order dated 10.08.2022, the Full Bench of the Lokpal of India declined such permission, in



view of Rule 4(a) of the Lokpal Complaint Rules, primarily because the complainant may not face harassment in future. Thereafter, by a letter dated 21.09.2022, the CBI requested that any information/documents available with the complainant, in support of the allegations levelled by him in the complaint, may be obtained and provided to them for the expeditious completion of the Preliminary Inquiry.

4. By an order dated 09.11.2022, the Division Bench directed the complainant to supply all additional documents/information, available with him in support of the allegations made in the complaint to the Lokpal of India, for onward transmission to the CBI. The complainant was directed to do the needful on, or before, 30.11.2022.

5. The Registry of the Lokpal of India has now put up the matter for consideration of the Division Bench, as the complainant has not complied with the order dated 09.11.2022. In fact, there has been no response from him, at all.

6. The CBI has filed a Preliminary Inquiry Report vide letter dated 07/09-10/2022, which is on record. A perusal of this report indicates that an FIR was filed by the complainant (FIR No. 0061/2018) against the alleged mastermind of the Bitcoin Scam and his gang for cheating him to the tune of Rs. 4,44,59,510/-. A charge-sheet has already been filed in this case.

7. With regard to the allegations of bribery to the tune of Rs. 10/- lakhs each, paid to the public servants by the accused, it is concluded in the Report of the Preliminary Inquiry that no documents or proof, establishing the payment of illegal



gratification has been provided by the complainant in order to substantiate the allegations.

8. To elicit more information in support of the allegation of bribery was the purpose of the CBI, for asking for permission to examine the complainant. The Lokpal of India, with a concern to shield the complainant from future harassment, had declined such permission. However, the complainant has been directed to provide all information available with him in this regard, to the Lokpal of India, to be forwarded to the CBI. The last date for the submission of the additional information was 30.11.2022. There has been no response from the complainant, so far. This can only be taken to mean that, either the complainant has no additional information/documents/proof available with him to substantiate the allegations of bribery, or he is not desirous of cooperating.

9. Under the circumstances, in light of the Report of the Preliminary Inquiry submitted by the CBI, as the allegations of bribery have not been found to be substantiated, we consider it appropriate to close the complaint, as keeping it pending would not serve any fruitful purpose.

10. Accordingly, the complaint is closed and the matter disposed of.



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