

105 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-18801-2015

Date of decision:- July 28, 2015

RAJKISHAN

...Petitioner..

VS

STATE OF HARYANA & ORS

...Respondents..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Parminder Singh, Advocate for  
Mr. Chirag Wadhwa, Advocate,  
for the petitioner.

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Jaspal Singh, J. (Oral)

This is a petition under Section 482 of the Code of Criminal Procedure preferred by Rajkishan, seeking issuance of directions to respondents not to indulge in unnecessary and undue humiliation and harassment at the behest of respondents No. 4 to 8, who have fraudulently executed a sale deed of a plot belonging to him (petitioner).

2. Contention of learned counsel for petitioner is that respondent No.8-Rajeev sold away the plot to petitioner vide sale deed No. 59/1 dated April 20, 2005 on receipt of full and final consideration whereas the same property, which is/was the absolute ownership of petitioner, has been fraudulently sold by respondent No.8 to respondent No. 4, vide sale deed No. 1582/1, dated August 12, 2014, in connivance with officials of respondent No.3 despite the fact that respondent No.8 has no right or interest in the property, after it was sold to petitioner.

3. It has further been contended by learned counsel for petitioner that even sale deed No. 59/1, dated April 20, 2005 executed by respondent No.8 has already been upheld in the civil litigation. Though, complaint No.CMOFF/N/2015/42401, dated 06.04.2015 was made to Superintendent of Police, Karnal by petitioner-Rajkishan unfolding the above referred grievances but no action has been taken and simply observed that matter in question is of civil nature, as such interference of police is not justified vide Annexure P-5. But the conclusion arrived at by the Superintendent of Police, Karnal vide Annexure P-5 is not the correct approach especially in the circumstances that sale deed has been executed in favour of respondent No.4 by respondent No.8, fully knowing the fact that he is not the owner of the property in dispute.

4. Let a fresh inquiry in respect of representation (Annexure P-4) be got conducted by respondent No.1-State of Haryana through office of DGP Crime by deputing a gazetted officer, within a period of three months from the date of receipt of certified copy of this order and if, allegations found to be *prima facie* established, to take further action, in accordance with law.

5. Petition stands disposed of accordingly.

(JASPAL SINGH)  
JUDGE

July 28, 2015  
**sonika**