

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc. No. M-28707 of 2014
Date of Decision:-03.7.2015**

Manju Jain

...Petitioner

Versus

Neeraj Jain and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. R. Kartikeya, Advocate
for the petitioner.

Mr. Bhupinder Ghai, Advocate
for respondent No.1.

Mr. Sultan Singh Gill, Deputy A.G., Punjab.

HARI PAL VERMA J.(Oral)

Prayer in this petition is for issuing directions to respondent No.2 i.e. the Police Commissioner, Ludhiana for registration of a case against respondent No.1.

Notice of motion was issued and in response thereto reply by way of affidavit of Harmohan Singh Sandhu, PPS, Additional Deputy Commissioner of Police (Crime), Ludhiana, has been filed on behalf of respondent No.2. The preliminary submission of the affidavit read as under :-

“1. That enquiry on the complaint of the petitioner Annexure P-4 has been conducted by the ACP (East)-Cum-E.O. Wing, Ludhiana during which it has been

revealed that no police action is warranted in the matter. In fact, during the enquiry, it was revealed that in the year 2003, the petitioner had purchased a plot measuring 400 sq. yards from respondent No.1 vide sale deed dated 27.1.2003. However, on 19.02.2013 i.e. after 10 years from the date of purchase of the said plot, the petitioner moved the said complaint Annexure P-4 levelling allegations that the possession of the plot has not been delivered to the petitioner and that the Khasra Numbers mentioned in the sale deed does not find mention in the Revenue Record. In this regard, it is respectfully submitted that respondent No.1 was the owner of the said plot and as such on the basis of ownership of respondent No.1, mutation of the said plot was further sanctioned in favour of the petitioner. It was further revealed that the main dispute between the parties is regarding the possession of the plot for which the petitioner should have moved complaint at the time of purchasing the plot in the year 2003. However, the petitioner can get possession of the said plot through the Revenue Department after getting demarcation. Thus, the said complaint of the petitioner has been consigned/filed. Hence, the present petition is liable to be dismissed on this ground alone.”

In view of the aforesaid reply, no interference is called for by this Court to issue any direction.

Dismissed.

However, the petitioner is at liberty to avail the remedy available to him under the law.

July 03, 2015
Vijay Asija

(HARI PAL VERMA)
JUDGE