

CRM-M-3437-2015 (O&M)

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

**CRM-M-3437-2015 (O&M).
Decided on: February 2, 2015.**

Kuljit Singh

..... Petitioner(s)

Versus

State of Punjab and others

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.R.S.Bajwa, Advocate,
for the petitioner.**

M.M.S. BEDI, J (ORAL)

Two mutations have been wrongly shown as approved in the jamabandi issued on 23.2.2012 as per the report of the Sub Divisional Magistrate, Moga. On the basis of said report, the Assistant Commissioner, Moga, has sent a letter to Deputy Commissioner, Moga for taking legal action against the revenue authorities. The Deputy Commissioner is alleged to have sent a communication, Annexure P1 to the Senior Superintendent of Police, Moga.

Through the instant petition, the petitioner seeks registration of an FIR against the persons responsible for the above said wrong.

Notice of motion to the Advocate General, Punjab.

On asking of the Court, notice has been accepted by Mr.C.S.Brar, DAG., Punjab, present in the Court. Copy given.

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I have considered the facts and circumstances of the case. On the basis of a wrong entry in the revenue record whether the criminal prosecution could be launched under the provisions of the Indian Penal Code mentioned in the title of the petition cannot be determined by this Court.

This petition is disposed of with a direction to the Senior Superintendent of Police, Moga to consider the communication Annexure P1, in context to the facts and circumstances of the case and in case it is found that some cognizable offence has actually been committed, necessary action may be taken. It is left to the wisdom of the competent authority to fairly enquire into the matter before arriving at any conclusion to launch any criminal proceedings. It will be open to the competent authority to drop the proceedings in case no cognizable offence is made out. It will be appreciated in case the necessary steps are taken by 30.4.2015.

February 2, 2015.
rka

(M.M.S. BEDI)
JUDGE