

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

**CRM-M-12400 of 2016
DECIDED ON: April 11, 2016**

SATISH KUMAR SINGLA

.....PETITIONER

VERSUS

STATE OF PUNJAB & ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Present: Mr. Mohan Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

Through this petition moved under Section 482 of the Code of Criminal Procedure, petitioner-Satish Kumar Singla has sought direction to respondent No. 3-Senior Superintendent of Police, District Bathinda, to decide the complaint(s) (Annexures P-5 & P-6) and to take appropriate action against respondents No. 5 and 6 in accordance with law.

2. The contention of learned counsel for the petitioner is that though the complaint(s) (Annexure P-5 & P-6) were moved to the Senior Superintendent of Police, Bathinda and the Chief Minister of Punjab way-back on February 01, 2016 but no action has been taken by the

police/concerned authorities so far.

3. Learned counsel for the petitioner has sought that the direction be issued to the Senior Superintendent of Police, Bathinda to look into the allegations and take appropriate action.

4. But before proceeding to pass any final order in this case on the basis of submission made by learned counsel for the petitioner, it would be pertinent to mention that a close scrutiny of the petition transpires that complaint(s) are nothing but a device adopted by the petitioner to hamper with the legal action being taken by respondents No. 5 and 6.

5. A perusal of the petition itself reveals that Ashok Kumar Singla-respondent No.5 preferred a petition under Section 13 of the East Punjab Urban Rent Restriction Act, 1949 (for short, "Act" only) seeking eviction of respondent No.6 from the shop on the ground(s) of non-payment of rent; personal necessity; and that the tenant has ceased to occupy the disputed shop. The matter was hotly contested and ultimately, petition was allowed and respondent No.6 was directed to vacate the present demise and to hand over the vacant possession of the shop in question to respondent No.5. Since, respondent No.6 did not comply with the order of the Rent Controller, Bathinda, Ashok Kumar Singla-respondent No.5 was constrained to file an execution application. In that execution application, petitioner-Satish Kumar preferred an objection petition, which was dismissed and respondent No.5 took the possession of the shop. He, accordingly, withdrew the execution application, as is evident from Annexure P-4 i.e. the order passed by the

Civil Judge (Sr. Division), Bathinda dated 04.02.2016. It was only after the possession of tenanted shop was delivered to respondent No.5 in execution proceedings, the complaint(s) (Annexures P-5 & P-6) were lodged alleging the documents to be forged and fabricated by respondents No. 5 and 6. There appears no bona fide in the instant petition.

Dismissed.

April 11, 2016
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(JASPAL SINGH)
JUDGE