

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

Anuradha
2016.10.27 17:45
I attest to the accuracy and
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**CRM-M-20501-2015
Date of Decision :25.10.2016**

ANGREJ SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. H.S. Saggu , Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed against the concurrent dismissal of the complaint filed by the petitioner.

As per the allegations, the petitioner had entered into agreement to purchase 132 Kanals 05 Marlas land in village Changali Qadim. However, the owner fraudulently sold 66 Canals out of that to one Balraj Singh.

The contention of the learned counsel for the petitioner is that firstly, Balraj Singh being a foreign citizen could not purchase the land in India. In my opinion, this may be an offence under FEMA and a complaint may be filed in this regard before the competent authority but an FIR cannot

be lodged in this connection under the IPC. The second contention is that Prempal Singh is the real vendee who appeared before the Sub-Registrar as the representative of the vendee and dishonestly signed the sale deed and declaration Form-1 without any authority from the said Balraj Singh and as such the transaction is benami in nature. I asked learned counsel for the petitioner whether the petitioner has sought to vindicate his right for the property by filing a suit for specific performance, he states that no such suit has been filed.

In the circumstances, I see no reason to take a different view to that taken by by Courts below.

Petition stands dismissed.

October 25, 2016

Anuradha

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No