

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

CRM M-26627 of 2015

Date of decision : 28.01.2016

Balkar Singh

....Petitioner

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Atul Arya, Advocate for the petitioner.

Mr. Ankur Jain, AAG Punjab.

RAJAN GUPTA J.

Petitioner has filed this petition under section 482 Cr.P.C. for issuance of direction to respondents to conduct fair investigation into the complainant, Annexure P-10 made by him.

It was alleged by petitioner that his father namely Gurdev Singh purchased a joint property alongwith his brother Ajit Singh through different registered sale-deeds and mutation was also sanctioned in their names. They also constructed house over the said property. In the month of June, 2008 Ajit Singh in connivance with his wife Mukhtiar Kaur fraudulently got signatures of his father Gurdev Singh on blank paper on the pretext of partition of aforesaid joint property. After the death of his father, petitioner and his mother requested Ajit Singh to supply a copy of said partition deed. However, same was not provided to them. On inquiry, petitioner came to know that a fraud was played by Ajit Singh while effecting partition. However, on 22.11.2008 Ajit Singh alongwith other accused trespassed into the house of the petitioner

and gave beatings to him and his mother. They even issued threats to him to vacate the house.

Reply by way of affidavit of Satish Kumar Malhotra, ACP (Central), Ludhiana has been filed. Learned State counsel has referred to said reply and submits that FIR No. 387 dated 22.11.2008 under sections 447/511/427/148/149 IPC was registered against the accused at police station Basti Jodhewal, Ludhiana in this regard. After completion of investigation, challan was presented before the concerned court and charges were framed on 29.09.2009. He has referred to para 2 of the said reply and submits that no representation dated 18.11.2008 and 10.06.2015 has been received by the police from the petitioner. Besides, civil litigation is pending between the parties.

Under the circumstances, no case for direction as prayed by the petitioner can be issued. It appears that another FIR of similar nature had already been registered under sections 447/511/427/148/149 IPC. Petition is, thus, without any merit and is hereby dismissed.

January 28, 2016

Ajay

(RAJAN GUPTA)
JUDGE