

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No.226

CRM No.M-4877 of 2013
Date of decision : April 25, 2016

Joginder Singh

...Petitioner...

versus

State of Punjab and others

...Respondents...

CORAM : HON'BLE MR. JUSTICE JASPAL SINGH

Present : Mr. B.D. Sharma, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. Tarundeep Kumar, Advocate for
Mr. D.S. Pheruman, Advocate,
for respondents No.6 to 8.

Mr. Sachin Sharma, Advocate,
for respondent No.10,

Mr. Sarbjit Singh, Advocate,
for respondent No.11.

JASPAL SINGH, J.

This is a petition under Section 482 of the Code of Criminal Procedure seeking issuance of directions to respondents No.1 to 4 to conduct fair and impartial inquiry into the allegation contained in the complaints (Annexure P-5, P-6 & P-8) filed by the

petitioner against respondents No.6 to 11.

Undisputably, the latest status report has been furnished by the official respondents by way of affidavit of Bhagwant Singh, PPS, Deputy Superintendent of Police – Sub Division, Jandiala, District Amritsar (Rural). According to the said report, the above referred complaints submitted by Joginder Singh s/o Sadhu Singh R/o Guru Amardass Avenue, Palam Vihar, Majitha Road, Amritsar against Harminder Kaur widow of Late Dalbir Singh etc. resident of H.No. 1061, Ward No.9, Mohalla Mahal Kasa, Jandiala Guru regarding his due share 6 marla & 6 sarsai from the plot by Harminder Kaur with the connivance of deed writer and other persons by showing wrong boundaries sold to Gurpreet Singh s/o Sawinder Singh, r/o Uppal and executed Sale Deed in the month of June, 2012, have been thoroughly enquired into by the police officer (s) and the conclusive part of the inquiry has been reflected in the status report which reads as under:-

“It came to light during my enquiry that applicant Joginder Singh and his sister-in-law Harminder Kaur etc. have 17 Marle resident Plot in Jandiala Guru Town under Lal-Lakir. The applicant and his brother Avtar Singh from the very beginning are living at Amritsar and brothers Surjit Singh and Kulwant Singh have been died. Dalbir Singh husband of Harminder Kaur also died in the year of 1974 and Harminder Kaur is occupant on this 17 marle and

living there. Out of this area she executed registered deed in the year 1988 in favour of Gurnam Singh resident of Jandiala and in remaining 6 Marle 6 Sarsai she is owner as per Municipal council Jandiala Guru record copy and electric meter ownership is on her name. As per A/c No. A-52 SF-770916-W showing ownership rights she executed registered deed on 1.6.2012 in favour of Gurpreet Singh son of Sawinder Singh resident of Uppal, Tehsil Khadoor Sahib. Now Gurpreet Singh son of Sawinder Singh paid entry fee Tax on 10.09.2012 and as per Assessment Register record obtain legal rights. Earlier to this both the parties tried to get ownership rights adopting legal procedure. Now Joginder Singh also filed case in the Ld. Court of Sh.S.S. Maan Addl.Civil Judge, Senior Division Amritsar to get legal rights which is under consideration in the court. Next date of hearing is fixed 28.01.2013. On perusing the document produced by applicant and opponent party enclosed with the enquiry reveals that matter is under consideration in the court and both the parties are advised to wait the decision of court. Hence, no action is called for by the local police. Applications may be consigned to record.”

Keeping in view the status report, instant petition has rendered infructuous and the same is disposed of as such. However, the petitioner shall have the liberty to approach the concerned Magistrate or any other authority, if he is still aggrieved of the matter. This order shall have no bearing or effect on those proceedings.

April 25, 2016

Ankur

**(JASPAL SINGH)
JUDGE**