

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

**CRM No.M-4418 of 2016 (O&M)
Date of Decision: 23.03.2017**

Santokh Singh & others

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Ranjan Lakhanpal, Advocate for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

Mr. Onkar Singh Viridi, Advocate for the complainant.

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking directions to the official respondents to ensure that the petitioners are not implicated in any false case and further that they be not called in the Police Station CIA Staff, Khanna without giving them proper notice under Section 160 Cr.P.C. Petitioners further pray that private respondents herein cannot force them to execute a sale deed pertaining to land measuring 2 acres on the strength of a compromise deed dated 13.11.2015 and placed on record at Annexure P-1.

Counsel for the parties have been heard at length.

Insofar as the apprehension voiced by the petitioners of harassment and false implication, it would be apposite to note that FIR No.23, dated 03.02.2016 already stands registered at Police Station Samrala against

the petitioners and at the instance of respondent No.6 under Sections 406/420 IPC.

Learned State counsel has informed the Court that during the course of inquiry/investigation, petitioner No.1, Santokh Singh son of Naurang Singh has been found to be innocent. As regards petitioner No.3 i.e. Paramjit Kaur, it has been stated that as of now, no credible evidence has been collected against her to reflect her complicity and if any such evidence comes forth then a supplementary challan may be filed. However, in the inquiry, Harjit Singh son of Santokh Singh, petitioner No.2 herein, has been found to be involved and submission of challan has been recommended.

Also made available to this Court is an order dated 10.02.2016 passed by the learned Additional Sessions Judge, Ludhiana in an bail application preferred by Harjit Singh. Perusal of the order reveals that the bail application has been disposed of by observing that in case the accused/Harjit Singh is sought to be arrested then three days notice would be given so as to enable the concerned people to approach the Court for availing appropriate remedy.

In the considered view of this Court, the order dated 10.02.2016 passed by the learned Additional Sessions Judge, Ludhiana would allay the apprehension as regards harassment. Requisite protection of an advance notice already has been given by the competent Court. No further directions in such regard are required to be passed.

Insofar as the issue of execution of sale deed pertaining to land measuring 2 acres is concerned on the strength of an alleged compromise deed dated 13.11.2015 at Annexure P-1, it would suffice to observe that this Court

would not examine the veracity of such compromise deed while exercising powers under Section 482 Cr.P.C. It would be open for the parties on either side to take out appropriate proceedings with regard to such alleged compromise deed and as may be available to them in accordance with law.

Petition is disposed of accordingly.

It is further clarified that with the disposal of this petition, the interim order and directions contained in the order dated 08.02.2016 shall cease to operate.

23.03.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |