

252

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

1. Civil Revision No.5184 of 2018
Date of Decision: 15.12.2018

SANJEEV KUMARPetitioner
Vs
STATE OF PUNJAB AND OTHERS ...Respondents

2. Civil Revision No.5185 of 2018

SANJEEV KUMARPetitioner
Vs
STATE OF PUNJAB AND OTHERS ...Respondents

3. Civil Revision No.5186 of 2018

SANJEEV KUMARPetitioner
Vs
STATE OF PUNJAB AND OTHERS ...Respondents

4. Civil Revision No.5187 of 2018

SANJEEV KUMARPetitioner
Vs
STATE OF PUNJAB AND OTHERS ...Respondents

5. Civil Revision No.5188 of 2018

SANJEEV KUMARPetitioner
Vs
STATE OF PUNJAB AND OTHERS ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Rajinder Goyal, Advocate
for the petitioner.

Mr. Arun Kaundal, D.A.G., Punjab.

Mr. Neeraj Sharma, Advocate
for respondent No.5.

Mr. Raj Kumar Rathore, Advocate for
Mr. Naresh Kaushal, Advocate
for respondent No.6 in CR Nos.5184 & 5187 of 2018
for respondents No.6 and 7 in CR No.5188 of 2018.

RAJ MOHAN SINGH, J. (Oral)

[1]. Vide this common order CR Nos.5184, 5185, 5186, 5187 and 5188 of 2018 are being decided. Since all the revision petitions have arisen out of similar cause of action, therefore, for brevity facts are being culled out from CR No.5184 of 2018.

[2]. Petitioner has assailed the order dated 04.09.2018 passed by the District Judge, Ropar, whereby directions were issued for registration of criminal case against the petitioner.

[3]. It appears from the record that 11 persons, namely Gurmukh Singh, Surinder Kaur, Soma, one more unknown person son of Dial Singh, Gurmail Singh, one more unknown person, Navtej Singh, one more unknown person, Kirpal Singh, Karam Singh and one more unknown person were paid the amount from RD Nos.328 and 329 without any authority. As per RD register of the District Nazir, no amount was deposited in the names of aforesaid persons in the aforesaid RDs. The amount was released on the basis of vouchers got issued by the then Nazir. The amount of the decree-holders was released in favour of the aforesaid persons by presuming that the aforesaid persons were covered under the aforesaid RD Nos.328 and

329.

[4]. As per report of Nazir, some incriminating features have been shown in the entries against the names of Bakshi son of Sunder Singh, Dalbir Singh son of Surat Singh and Jarnail Singh son of Shiv Singh.

[5]. Learned counsel for the petitioner submitted that in fact Gurmukh Singh and others were having actual RD numbers as shown in the tabulated form in para No.4 of the revision petition and the amount shown in their RD numbers have not been disbursed to them so far. It was a case of misconception with regard to actual RD numbers to which the aforesaid persons were entitled.

[6]. Notice of motion was issued on 10.08.2018 for 13.09.2018 and till then direction was made not to give effect to the impugned order. Receipt of information as against signature of one Balvir Singh Constable has not been conclusively proved on record. The FIR has already been registered.

[7]. Taking into consideration the report of Nazir and the cuttings made by the petitioner in the record with or without signature of claimant would require probe.

[8]. Be that as it may, since as per direction issued by the District Judge, Ropar, FIR has already been registered, it would be just and appropriate to allow the police to investigate the

case in accordance with law and bring the case to its logical end.

[9]. In my considered opinion, the direction issued by the District Judge, Ropar are lawful in the facts and circumstances of the present case. No case is made out for interference in the impugned order. All the revision petitions are accordingly dismissed.

December 15, 2018

Atik

Whether speaking/reasoned
Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No
Yes/No