

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-12514-2018 (O&M)

Date of Decision: 30.04.2018

Sohan Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH**

Present:- Mr. M.S. Kathuria, Advocate, for the petitioner.  
Mr. B.S. Virk, DAG, Haryana.

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**Amol Rattan Singh, J. (Oral)**

Pursuant to the notice issued, Mr. Sushil Bhardwaj, Advocate, appears and has filed his power of attorney on behalf of respondents no.5 and 6, which is taken on record.

He has in fact produced in Court today a photocopy of what is stated to be a family settlement between respondents no.5 and 6, as also the brother of respondent no.5 (the son of respondent no.6), Bharat Kumar. though the agreement actually shows Bharat Kumar to be a witness to the agreement, which carries the date of August 7, 2009.

Learned counsel for the petitioner, on the other hand, submits that no mutation entry in the revenue record was made on the agreement and further, even if for the sake of argument (though not admitted), the contention of respondents no.5 and 6 is accepted at face value, to the effect that the last date for execution of the sale deed in terms of the agreement of sale between the petitioner and respondent no.5 (Sharat Kumar) was March 01, 2010, then as per the case of the aforesaid respondents also,

Murti Devi appeared before the Registrar only on the second and not on the first day of the month.

Learned counsel for respondents no.5 and 6 however counters the aforesaid argument by stating that March 1 was a holiday and therefore to execute the sale deed, respondent no.6 appeared on the 2<sup>nd</sup> of March, 2010.

As to why Murti Devi and not Sharat Kumar appeared before the Registrar to execute the sale deed in terms of the agreement and the family settlement, will be gone by the investigating agency, and consequently, this petition is disposed of with a direction to the Superintendent of Police, Jind, to go into the entire matter, including the fact that a mutation entry does not create title; but whether or not the agreement/settlement dated 07.08.2009 (though only a photocopy thereof has been produced in Court) is a genuine family settlement or a post dated agreement/settlement etc., shall be thoroughly investigated by the police before arriving at any final conclusion in the proceedings.

With the aforesaid directions, this petition is disposed of, with liberty naturally available to the parties to take appropriate remedy as available to them under law, if they are aggrieved of any action/inaction by the police.

30.04.2018  
vcgarg

(AMOL RATTAN SINGH)  
JUDGE

**Whether reasoned/speaking: Yes**  
**Whether reportable: no**