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

CRM-M No.1637 of 2017
Date of Decision: 20.02.2018

Jagdish Raj

...Petitioner

Vs

State of Punjab

.....Respondent

CRM-M No.6213 of 2017

Pawan Kumar

...Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Arvind Kashyap, Advocate,
for the petitioner(s).

Mr. Hittan Nehra, Addl. A.G., Punjab.

Mr. Arnav Sood, Advocate,
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

1. Vide this common order, CRM-M No.1637 of 2017 titled 'Jagdish Raj vs State of Punjab' and CRM-M No.6213 of 2017 titled 'Pawan Kumar vs State of Punjab' are being disposed of.
2. Common facts are being noticed.

3. FIR No.124 dated 05.10.2016 under Sections 420, 406, 467, 468, 471 IPC was registered in Police Station Division No.2, Pathankot with the allegations that the complainant Dr. Baldev Kumar Verma is the owner of land in front of Avninder Palace. An agreement was executed by the complainant on 16.11.2012 in favour of Pawan Kumar (petitioner in CRM-M No.6213 of 2017) for managing the land.

4. In the context of inter se relation between the parties, the FIR came to be registered after the death of Dr. Baldev Kumar Verma wherein son of Baldev Kumar Verma has denied his signatures on the agreement dated 16.11.2012.

5. Evidently, the complainant has also got issued notice regarding cancellation of agreement dated 16.11.2012 on 02.11.2015 through his counsel. A civil suit for permanent injunction has also been filed by the complainant.

6. In the order dated 25.09.2017, it was recorded by the Co-ordinate Bench that the possession of the land is still with the complainant. Title of the land has not been transferred in favour of alleged subsequent vendees namely Komal Krishan, Deepak Khanna and Raj Kumar Gautam.

7. In the context of an amount of Rs.22 lacs as earnest money having been received by the petitioner(s), the aforesaid proposed vendees would have come forward to raise voice

against the petitioner(s). It appears that Komal Krishan, Deepak Khanna and Raj Kumar Gautam have not raised any objection against the petitioner(s).

8. The title of the land is still with the complainant. Agreement dated 16.11.2012 was never implemented in terms of further alienation of land in favour of aforesaid proposed vendees.

9. In view of above, I deem it appropriate to confirm order dated 02.02.2017 in CRM-M No.1637 of 2017 and order dated 28.02.2017 passed in CRM-M No.6213 of 2017.

10. A photocopy of this order be placed on the file of connected case.

20.02.2018
 jyoti

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No