

230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41008-2018
Date of decision-19.11.2018

Balkar Singh

....Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. G.K.Mann, Advocate for the petitioner.

Mr. Abhaypal Singh Gill, AAG, Punjab.

Mr. Shubham Mehta, Advocate for
Mr. Vivek Salahia, Advocate for respondent No.6.

MANOJ BAJAJ, J.

Balkar Singh has filed this petition under Section 482 Cr.P.C seeking direction for taking appropriate action against Patwari, namely, Bhupinder Singh-respondent No.6 as the representation dated 04.06.2018 (Annexure P-4) is pending without any action.

The grievance of the petitioner is that no FIR has been registered by the official respondents.

It is contended that the entries in Annexure P-2 (copy of jamabandi/partition) have been altered by the revenue official as Gurnam Singh has been shown to be having ½ share in the property along with others which includes the name of the petitioner-Balkar Singh. There is nothing on record or in the representation indicating that Gurnam Singh had no right title or interest in the property in question or that previously in the revenue

record name of Gurnam Singh had never figured. It is admitted by learned counsel for the petitioner that her client is also shown as co-sharer in the said property.

The reply filed on behalf of the State indicates that the representations given by Balkar Singh also forwarded for inquiry. However, the petitioner-Balkar Singh being NRI never attended those proceedings and the authorities have closed the matter as he was not interested to pursue the matter. The relevant paragraph of the reply filed on behalf of the State is reproduced below:-

“That the above said complaints were marked by the worthy S.S.P, Tarn Taran to the answering respondent for enquiry and report. It is further submitted that both the parties were called by the answering respondent for joining the enquiry through parvana (notice) Nos.626-5P dated 26.06.2018, 736-5P dated 23.07.2018, 811-5P dated 08.08.2018, 841-5P dated 13.08.2018 and 1033-5P dated 08.10.2018 through SHO, P.S.Chohla Sahib, District Tarn Taran and both the parties were directed to appear in the office of answering respondent on 05.07.2018, 30.07.2018, 16.08.2018, 21.08.2018 and 15.10.2018. The petitioner Balkar Singh himself had noted down the above said parvanas (notices) and the opposite party Gurnam Singh has noted down the above said parvanas (notices) through his mobile No.+85251770515 as he had gone to abroad i.e. Hong Kong. Hence the complainant/petitioner Balkar Singh failed to appear despite being served through parvanas (notices) by the answering respondent and thus it shows that he doesn't want to pursue the matter and as such the

above said complaints of the petitioner were consigned to the record room. True translation of report No.205/182/5AP dated 27.10.2018 is annexed herewith as Annexure R-2/T. Therefore the present petition deserves to be dismissed.”

It is also mentioned that the dispute is purely of civil nature. In view of the above, no ground for interference under Section 482 Cr.P.C is made out.

Consequently, the present petition stands dismissed.

(MANOJ BAJAJ)
JUDGE

19.11.2018
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No