

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

CRWP-1508-2017

Decided on: 19.01.2018

Sawraj Marwaha

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: None (By post).

Mr. Rakeshinder Singh Sidhu, AAG, Punjab

H.S. MADAAN, J (ORAL)

A complaint was received in the Secretariat of Hon'ble the Chief Justice. As per complaint from Sawraj Marwaha, police officials of police station Sadar (Amritsar) is pressuring her family members to convince Ashok Marwaha to get effected the sale deed of his house in the name of owners of Spring Dale and they illegally confined her husband Ashok Marwaha despite the fact that he is innocent. That complaint was treated as a writ petition and listed on judicial side. The police was asked to explain the allegations.

Written response in the form of affidavit by Assistant Commissioner of Police, North, Amritsar City has been filed containing that FIR No.222 dated 09.10.2017 under Sections 420, 406, 408, 120-B IPC and offences under Sections 467, 468 and 471 IPC added later on was registered at police station Sadar, Amritsar City against Gagan Marwaha, his wife Rinkle Marwaha and father-in-law Varinder Anand on a complaint submitted by one Hemant Mehra, Chartered Accountant of Springdale Core Consultant Private Limited, Fatehgarh Churain Road, Amritsar alleging therein that accused Gagan Marwaha serving as Accountant in Spring Blossoms School in connivance with his wife and father-in-law had illegally siphoned off about Rs.50 lacs for funds of the school.

During the course of investigation, Gagan Marwaha was arrested on 09.10.2017. He was interrogated, as a result of which his father Ashok Marwaha was also nominated as co-accused, who had stated to have lent the misappropriated money on interest and had been keeping account of the amount received by way of interest. During course of investigation, accused Rinkle Marwaha, Ashok Marwaha and Varinder Marwaha were issued three notices by Investigating Officer asking them to join the investigation, but this could not be served upon them due to non availability of such persons at their respective residences. However, Mrs. Swaraj Marwaha was found to be present at home, but she refused to sign the notices meant for her husband Ashok Marwaha and daughter-in-law Rinkle Marwaha. Rinkle Marwaha and Varinder Anand have been granted pre-arrest bail by Additional Sessions Judge, Amritsar, whereas Ashok Marwaha was arrested on 08.12.2017. Now, the matter is being investigated. Ashok Marwaha is on regular bail. Some annexures have been attached alongwith the written reply.

After going through the reply, I find that no further action in the matter is called for. If still aggrieved, the complainant may take recourse to the remedy available to her under law.

The present petition stands disposed of.

(H.S. MADAAN)
JUDGE

19.01.2018

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No