

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-1560-2017

Date of decision: 30.01.2018

DALJIT SINGH

.... Petitioner

vs.

STATE

.... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Petitioner in person.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Abhimnyu Kalsy, Advocate for
Mr. Harsh Chopra, Advocate
for the complainant.

ARVIND SINGH SANGWAN,J. (ORAL)

In pursuance of order dated 02.01.2018, petitioner-Daljit Singh is present in Court and he is identified by ASI Surjit Singh.

The only prayer in this petition is that the mother of the petitioner, namely, Nirmal Saini, was not traceable. Notice was issued to the petitioner on 02.01.2018 and the following order was passed :-

“In pursuance to the notice of motion order, separate reply on behalf of the Station House Officer, Police Station Mataur, District S.A.S. Nagar as well as the alleged detainee – Nirmal Saini wife of late Sh. Sukhdev Singh has been filed in the Court today.

A perusal of the reply filed by the SHO show that he has recorded the statement of the alleged detainee on 07.12.2017 wherein she has deposed that she is staying in rented House No.13, Preet Colony near P.M. College, Rajpura, District Patiala and she has sold the disputed House No.3411, Sector 71, Mohali and there is a dispute regarding 50% share to be given to her son.

In the reply filed by Nirmal Saini, it is submitted that the petitioner – Daljit Singh is his son and she is being harassed by him on account of demanding share in the property and the dispute is pending before the Civil Court at Mohali. It is also stated in the reply that the alleged detainee – Nirmal Saini has filed CWP No.19316 of 2013 for protection of life and liberty at the hands of her son – Daljit Singh and others, and it was disposed of vide

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order dated 03.09.2013 by issuing a direction to the Deputy Commissioner, SAS Nagar, Mohali to look into the grievance of Smt. Nirmal Saini as per her representation dated 30.06.2013 and this fact has been concealed by the petitioner.

In both the replies, it is submitted that the present petition has been filed by the petitioner by concealing the correct facts and same deserves to be dismissed with heavy costs.

Since, there is no representation on behalf of the petitioner, let notice be issued to the petitioner – Daljit Singh for 30.01.2018. “

After hearing the petitioner, counsel for the State and counsel for the complainant, I find that mother of the petitioner, namely, Smt. Nirmal Saini, has made a statement before the Station House Officer, that there is a dispute with regard to house No. 3411, Sector 71, Mohali and civil litigation is already pending. Even Smt. Nirmal Saini, had filed a petition for protection of life and liberty at the hands of her son-Daljit Singh and others, and it was disposed of vide order dated 03.09.2013 by issuing a direction to the Deputy Commissioner, SAS Nagar, Mohali to look into the grievance of Smt. Nirmal Saini.

No further action is required in this petition. The same has been rendered infructuous at this stage.

30.01.2018
smriti

(ARVIND SINGH SANGWAN)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No