

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.109

CRM-M-3458-2019 (O&M)

Date of decision : 25.1.2019

Chattar Singh

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. JP Devgan, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is praying for direction to the police officials to take appropriate action against respondents No.7 to 11, who have allegedly cheated the petitioner of a sum of approximately Rs.50 lakhs.

The allegations in the petition are that in the year 2016, respondent No.10 approached the petitioner and informed him that the Government is going to acquire his land. Thereafter, he approached respondent No.7 for obtaining information regarding acquisition and for the jamabandi of his land. But, the said respondent in connivance with respondent No.11 did not provide him any information instead, he was told that his land has not been acquired. Later on, it transpired that a fraudulent bank account was opened in HDFC Bank, Harike-Pattan on 4.6.2015. The land of the petitioner was actually acquired, but respondent No.7 did not pay him the requisite compensation nor did they give any information about the same. It also came to light that a sum of Rs.25 lakhs had been deposited in the bank account in HDFC Bank, Harike Pattan and Rs.16 lakhs had been withdrawn therefrom by respondent No.7 alongwith respondents No.8 and 9.

The averments made in the petition are contradictory in nature to say the least. The bank account in HDFC Bank, Harike Pattan was allegedly opened on 4.6.2015, whereas, according to the petitioner himself,

he was approached for the first time by respondents No.7 to 10 in the year 2016 regarding giving him information of acquisition of his land. If the acquisition process started in the year 2016 then it does not stand to reason that a fraudulent account would be opened earlier. Moreover, it is stated that the account in HDFC Bank, Harike Pattan was opened fraudulently and without his knowledge, but later on, it is submitted that on obtaining the bank statement, he realized that a sum of Rs.16 lakhs was withdrawn therefrom. In case, the petitioner was not aware of the bank account concerned, I do not see any reason for him to obtain a bank statement thereof. Still further, the averments in the petition appear to be total mischievous because I cannot accept that in today's world even an illiterate person would not have knowledge of acquisition of his land.

For the aforementioned reasons, I find that the petition is mischievous, malicious and has been filed with some ulterior motive and the same is accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

25.1.2019
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No