

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

CRM-M-37585-2018 (O&M)

Date of decision : 17.12.2019

Gurmukh Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioners.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

ANIL KSHETARPAL, J. (ORAL)

Present petition has been filed with following substantive prayer:-

“It is, therefore, respectfully prayed that the petition may kindly be allowed the directions may be issued to the official respondents to take appropriate action against private respondents, or not harass petitioners in any manner against the wishes of the petitioners in the interest of justice.”

In response to the notice, status report by way of affidavit of Deputy Superintendent of Police, Dharamkot, District Moga has been filed, in which it has been stated as under:-

“3. That in compliance of said order, it is submitted that petitioner No.2 Joginder Kaur had moved an application before SSP, Moga against Naib Singh son of Bachtter Singh, Kanwaljit Kaur wife of Naib Singh, Surinder Kaur wife of Harbhajan Singh resident of Noorpur Hakima District Moga, with the allegations that her father in law Shingara Singh, son Jangir Singh, Kuldip Singh and sister in law Pal Kaur are owners of land situated in the area of village Rehrwan. Naib Singh Patwari is possessing the entire record of said land. Said

Naib Singh and Bhajan Singh are running their joint business and are friends of each other. In the year of 2010 his sons Jasvir Singh, Kuldip Singh had transferred their land measuring 8/8 Kanal with Kanwaljit Kaur on the condition that Kanwaljit Kaur will gave her 4 acres land to Jasvir Singh and Kuldip Singh against their land. Naib Singh Patwari had got executed transfer deed from them by playing fraud regarding less land and on the basis of said false transfer deed he had got sanctioned the mutation no.2386 dated 07.10.2010 and 2386 dated 07.10.2010 in favour of Surinder Kaur and Knawaljit Singh. Naib Singh had also sanctioned another mutation no.2403 dated 19.08.2011 regarding land measuring 1 Kanal 12 Marlas in favour of Kanwaljit Kaur. Said Naib Singh and Kanwaljit Kaur are government servants and they had purchased various properties exceed to their income. Said application bearing No.177-C was marked to Gurmeet Singh, DSP, Moga and same was further marked to Incharge Anti Human Trafficking Unit, Moga for enquiry.

4. That on the basis of said application enquiry was conducted by Incharge Anti Human Trafficking Unit, Moga and during enquiry all the allegations leveled by Joginder Kaur are false and baseless and said application of petitioner Joginder Kaur has been consigned in record room.”

Keeping in view the aforesaid facts, petitioners are relegated to the remedy of filing criminal complaint before the Judicial Magistrate.

Disposed of, accordingly.

17.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No