

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

**Criminal Misc. No.M-28657 of 2019 (O&M)
Date of Decision: November 28, 2019**

Balbir Singh

.....PETITIONER(s).

VERSUS

State of Punjab and others

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranjit Sharma, Advocate
for the petitioner (s).

SURINDER GUPTA, J.

CRM-35281-2019

This is application for placing on record copy of jamabandi
(Annexure P-6) and statement of account (Annexure P-7).

The same are taken on record subject to all just exceptions.

Application stands disposed of accordingly.

CRM-M-28657-2019

Heard.

Learned counsel for the petitioner has argued that petitioner
had been sending money to his wife as per Annexure P-5 for purchase of
property in his name but she has misappropriated the money sent to her. He
further submits that she has forcibly taken possession of land of her father
and his house as well.

On perusal of complaint, copy of which has been filed as

Annexure P-5, I find that petitioner has mentioned 42 instances of sending money to his wife on monthly or bimonthly basis between 01.05.2014 to 08.10.2018. The amount sent to the wife range between ₹20,000/- to ₹5,00,000/- during the period of 53 months. Even if, this amount has been spent by her, it cannot be said that commission of offence of misappropriation on her part, is attracted.

It has been alleged that the private respondents have taken forcible possession of property of father of petitioner who is alive and is all competent to avail the remedy available to him in this regard.

In view of the above, no reason is made out to give any direction to the police to take action against private respondents in view of plea raised by the petitioner.

This petition has no merits. Dismissed. The petitioner shall, however, be entitled to avail other legal remedy available to him and nothing observed herein shall be taken as expression of opinion on merits of the case.

November 28, 2019

Sachin M.

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No