

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-28648-2019 (O&M)

Date of Decision: 16.07.2019

Kanwaljeet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vipul Babuta, Advocate, for the petitioner.
Mr. Rajat Bansal, AAG, Punjab.

Amol Rattan Singh, J. (Oral)

Pursuant to the order dated 08.07.2019, an affidavit of Sh. Ashwani Kapur, Deputy Commissioner of Police, Ludhiana, has been filed in Court today by the learned State counsel, in which it is stated that after the enquiry was conducted, a criminal case was registered against the petitioner and his co-accused, it having been found (as stated in the affidavit), that some blank signed papers were obtained from the complainant, Satish Khullar, as security, as he is stated to have taken a loan of Rs.17 lacs on interest from the co-accused of the petitioner, which papers were subsequently converted into an agreement of sale; (that being the contention in the affidavit as per the enquiry stated to have been conducted).

The stamp paper on which the agreement was written was also not purchased by Satish Kumar.

The investigation is also stated to have been now entrusted to an IPS officer, i.e. the Assistant Commissioner of Police, Civil Lines,

Ludhiana.

That being so, without making any comment whatsoever on the merits of the case, either for or against the petitioner and his co-accused, this petition is disposed of with a direction to the Commissioner of Police, Ludhiana (respondent no.3), to ensure that a fair and impartial investigation is conducted, also taking into account the fact that Rs.17 lacs are contended to have been given in cash as a loan to the complainant, with it to be obviously investigated as to what the source of such money was, and whether such cash loan of a huge amount (as is stated to have been advanced), was permissible or not in terms of the Finance Act existing at the time when such loan was given.

(AMOL RATTAN SINGH)
JUDGE

16.07.2019
vcgarg

Whether reasoned/speaking: Yes
Whether reportable: No