

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

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**CRM-M-42363-2017 (O&M)
Date of Order: 04.10.2019**

DHANWANT SINGH

..Petitioner

Versus

STATE OF PUNJAB AND ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.S.Bal, Advocate, for the petitioner.
Mr. SPS Tinna, Addl. A.G., Punjab
Mr. Ish Puneet Singh, Advocate, for respondent no.2.

ANIL KSHETARPAL, J(Oral)

On 05.07.2019, following order was passed:-

“Quashing of FIR No.337 dated 12.10.2013 registered under Sections 420, 120-B of the Indian Penal Code at Police Station Civil Lines, Police District Amritsar City has been sought by Dhanwant Singh.

Jagmer Singh and Rasal Singh were owners of immovable property which was agreed to sell in favour of Daljit Singh, complainant alleged victim on 14.05.2012. Dhanwant Singh-petitioner is said to be Property Broker/witness to the aforesaid agreement. As per the agreement to sell, target date for execution and registration of the sale deed was 15.10.2012. The sale deed was not executed as per agreement. Daljit Singh filed a suit for specific performance of the agreement to sell in which only decree for refund of earnest money has been passed. Jagmer Singh and Rasal Singh sold property vide registered sale deed to Kuldeep Singh. It is alleged by the Investigating Agency that Dhanwant Singh is a witness to the aforesaid agreement to sell between Jagmer Singh and Rasal Singh on the one hand and Kuldeep Singh. Once target date for execution and registration of the sale deed pursuant to the agreement to sell dated 14.05.2012 had already elapsed, it is to be examined whether any case is made out against Dhanwant Singh particularly in view of the fact that complainant victim did not attribute any criminal act to petitioner Dhanwant Singh at the initial stage.

At this stage, learned counsel for the respondents pray for time.

Adjourned to 17.07.2019.

It is made clear that no further request for an adjournment shall be entertained.

Interim order to continue.”

Status report by way of affidavit of Assistant Commissioner of Police, North, Amritsar City, has been filed in Court today, which is taken on record. Copy supplied.

In the status report, it has been stated that the petitioner has been found innocent. Paragraph 4 of the affidavit is extracted as under:-

“4.That it is humbly submitted that further investigation of the present case/FIR No.337 dated 12.10.13 u/S 420/120-BIPC, P.S. Civil Lines, Amritsar City has been carried out by Inspector Shivdarshan Singh, SHO of Police Station, Civil Lines, Amritsar City and on the basis thereof, the present petitioner has been found innocent as no substantial incriminating evidence so as to establish his connivance with the co-accused persons has come on record against the petitioner. Hence, supplementary final report under Section 173(8) Cr.P.C. in this regard of the present case has been presented on 30.09.2019 before the court of Ld. Chief Judicial Magistrate, Amritsar.”

In view of the aforesaid status report, present petition has been rendered infructuous and is disposed of as such.

October 04, 2019

nt

Whether speaking/reasoned

Whether reportable

(ANIL KSHETARPAL)
JUDGE

: Yes/No

: Yes/No