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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.25236 of 2020 (O&M)

Date of decision: 31.08.2020

Rajdeep Kaur

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Yogesh Goel, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for issuance of directions to the official respondents to appoint a senior police officer for conducting the fair and proper investigation on the complaint moved by respondents No.7 and 8 and to decide the representation dated 14.08.2020.

As per the allegations in the FIR, the petitioner has purchased some property on 22.05.2008 and later on, she entered into an agreement to sell. It is further stated that on 02/03.07.2020, the petitioner sold this property to respondent No.8 and got the sale deed typed and submitted the same before respondent No.7 i.e. the Sub-Registrar, Central Ludhiana. However in the meantime, the petitioner was informed that she will be given notice by respondent No.7 to execute the sale deed. Thereafter, the petitioner received a stay order dated 08.07.2020 passed by the Civil Judge (Jr. Division), Ludhiana in a suit titled as "*Nirbhai Singh vs Arvinder Singh*" restraining the petitioner from alienating her property.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the petitioner has argued that as per the allegations in the suit, the plaintiffs – Nirbhai Singh and others have set up an agreement to sell dated 30.01.2006, executed by Arvinder Singh, the vendor of the petitioner and therefore, the stay has been granted. It is further submitted that now the police authorities are pressurizing the petitioner to return the earnest money despite the stay order passed by the Civil Court.

A perusal of the petition show that no copy of agreement to sell has been attached to show as to how much was the earnest money.

After hearing the counsel for the petitioner, considering the fact that the matter is already *sub-judice* before the Civil Court, I do not find any merit in this petition.

In view of the above, counsel for the petitioner seeks permission to withdraw this petition, at this stage, with liberty to the petitioner to file a civil suit.

Dismissed as withdrawn with liberty aforesaid.

However, it will be open for the petitioner to approach the Civil Court for redressal of her grievance, if any, by moving an appropriate application in the said suit, before the Civil Court.

(ARVIND SINGH SANGWAN)
JUDGE

31.08.2020
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No