

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

CRR-2520-2017

Date of decision-07.01.2020

Arun Kumar

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sushil Saini, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

The revision petition has been preferred by petitioner to challenge the order dated 05.04.2017 whereby Chief Judicial Magistrate, Gurdaspur has proceeded to accept the cancellation report filed in case FIR No.177 dated 05.11.2016 under Sections 420 and 120-B registered at Police Station City, Gurdaspur.

Learned counsel for the petitioner contends that he being neighbour of the accused lodged the FIR on the ground that certain land transactions entered into by the accused were not properly valued and it has caused loss to the State Exchequer. He submits that after registration of the case, the investigation was carried out and the cancellation report was prepared and submitted before the Chief Judicial Magistrate, who accepted the same vide order dated 05.04.2017. According to him, the impugned order dated 05.04.2017 suffers from grave illegality and impropriety and

deserves to be set aside as the nature of the land was not properly mentioned in the instrument of the sale deed. According to him, the accused got the sale deed registered by misrepresenting the authorities to evade the stamp duty.

During the course of hearing, it is not disputed by learned counsel for the petitioner that no loss was suffered by the petitioner (complainant), however, according to him, the loss is suffered by the State. He fairly states that the said issue of evading stamp duty was never brought by the petitioner before the Registering Authority.

After hearing learned counsel for the petitioner, this Court finds that the petition is completely misplaced and does not warrant any interference as the impugned order is based on correct appreciation of material on record. Even as per the report, no loss has been suffered by the Government as well. It is specifically noticed by the learned Court below that the investigation conducted by the Police was fair and does not warrant interference and resultantly, it proceeded to accept the same.

In view of the above, this Court does not find any reason to interfere with the impugned order.

Petition is dismissed.

(MANOJ BAJAJ)
JUDGE

07.01.2020
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No