

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-5888-2021 (O&M)
Date of Decision:-9.2.2021

Naveen Kamboj and another ... Petitioners

Versus

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Chopra, Advocate for the petitioners.

Ms. Sheenu Sura, DAG, Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners have approached this Court seeking issuance of appropriate directions for taking legal action in respect of the injuries caused to petitioner No.1-Naveen Kamboj by way of registering FIR against the aggressor.
2. Another prayer has been made to conduct an inquiry in the 'benami' properties of Swania Girdhari Vats. A prayer has also been made for getting investigation conducted as to how the bank authorities had got the property of the petitioner auctioned for a paltry sum of ₹54.75 lakhs when the market value of the same is about ₹3 crores.
3. I have heard learned counsel for the petitioners.
4. A perusal of FIR No.124 dated 17.5.2020 registered at Police Station Madhuban, District Karnal under Sections 323, 324, 506 and 34 of Indian

Penal Code (Annexure P-5) would show that the same was lodged against petitioner No.1-Naveen Kamboj and co-accused Davinder @ Gogi at the instance of Swania Girdhari Vats. Learned counsel for the petitioners has submitted that infact in the occurrence which is subject matter of said FIR, petitioner No.1-Naveen Kamboj had also sustained injuries but the police has not taken any action in respect of the same.

5. Learned State counsel has informed that the investigation pertaining to FIR in question already stands concluded and challan stands presented.
6. In view of the aforestated position, this Court does not deem appropriate at this stage to issue any direction in respect of the aforesaid injuries allegedly sustained by petitioner No.1-Naveen Kamboj. However, the petitioners would be at liberty to approach the Illaqa Magistrate concerned by way of filing an application under Section 156(3) Cr.P.C. or to file a complaint as they may be advised. In case any such application/complaint is filed, the Trial Court concerned shall examine the same independently and dispose of the same in accordance with law.
7. As far as the second prayer of the petitioners pertaining to the ‘benami’ properties of the complainant Swania Girdhari Vats is concerned, this Court does not deem it necessary to issue any such direction in the instant petition. However, the authorities concerned would be at liberty to investigate the matter in case any convincing evidence is produced by the complainant before the said authorities.
8. As regards the third prayer of the petitioner i.e. for conducting an inquiry against the bank officials as to how the property belonging to Swania Girdhari Vats was sold for a paltry amount, it is hereby directed that

respondent No.5-Chief General Manager, Canara Bank, Corporate Office, No.112, JC Road, Bangalore-560002, Karnataka shall consider and dispose of the representation dated 30.9.2020 (Annexure P-3) in accordance with law, in case the same has not already been decided.

9. A copy of this order alongwith representation dated 30.9.2020 (Annexure P-3) be sent to respondent No.5-Chief General Manager, Canara Bank, Corporate Office, No.112, JC Road, Bangalore-560002, Karnataka so as to enable him to do the needful expeditiously preferably within a period of 3 months from today.
10. The petition stands disposed of with aforesaid directions.

9.2.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No