

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

124

CRM-M-14180-2021 (O&M)

Date of Decision: 26.03.2021

Som Chand

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Rohit Kumar, Advocate, for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed by the petitioner seeking issuance of a direction to respondents No.1 to 3 to take necessary action against respondents No.4 to 9, who are alleged to have cheated the petitioner of an amount of about Rs.60 lakhs.
2. Learned counsel for the petitioner has submitted that respondent No.4 represented that respondents No.5 to 9 had been given contract of mining sand in the area of Ferozepur and which was a lucrative business. It is alleged that respondent No.4 introduced the petitioner to respondents No.5 to 9, who represented that they, on account of their other businesses, were unable to look after the said business and that they were willing to transfer the business of mining sand in the name of the petitioner. Pursuant to the said representation, the petitioner is alleged to have paid an amount of Rs.60 lakhs to the private respondents out of which an amount of Rs.50 lakhs was paid through banking transactions i.e by way of

cheque/RTGS etc. It has been submitted that the petitioner was, however, not permitted to conduct any mining operation and when he approached the office of the Mining Officer, he came to know that any contract for mining sand was non-transferable and in fact even the contract allegedly awarded to the private respondents was disputed in respect of which litigation was pending. Learned counsel has submitted that he has, thus, been deprived of huge amount of Rs.60 lakhs by the private respondents by holding out false representations and although he had submitted representation dated 16.09.2020 (Annexure P-4), but no action has been taken thereupon.

3. Having heard the learned counsel for the petitioner and without commenting anything as regards veracity of the averments made in the petition, the petition is disposed of with a direction to respondent No.3 – Senior Superintendent of Police, Ferozepur to get the representation dated 16.09.2020 (Annexure P-4) examined in accordance with law and to take necessary steps as may be warranted under law in case the allegations levelled therein are found to be truthful.
4. A copy of this order along with representation dated 16.09.2020 (Annexure P-4) be sent to respondent No.3 - Senior Superintendent of Police, Ferozepur for necessary compliance.

26.03.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No