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204 Razia v. State of Punjab

2) CRM-M-22080 of 2020 (O&M)
Raj Kumar v. State of Punjab and others

Present:- Mr. Navkesh Singh Goraya, Advocate
for the applicant-petitioner in sr. no.1.

Mr. Vaibhav Sehgal, Advocate
for the petitioner in sr. no.2.

Mr. Mohd. Yousaf, Advocate
for the applicant-respondent no.9 in Sr. no.2.

Mr. Ramdeep Partap Singh, AAG, Punjab

CRM-M-22080 of 2020 (O&M)

Pursuant to the order of this court dated 14.01.2021, a reply by way of an affidavit of the Joint Commissioner of Police, City, Ludhiana, dated 27.02.2021, has been filed by the learned State counsel, which is ordered to be taken on record.

The entire detail of the matter has been very succinctly stated therein by the Joint Commissioner, essentially to the effect that the property that was willed to one Vijay Kumar was of an area of 40 sq. yds., which was transferred to the petitioner, Raj Kumar, by way of a sale deed dated 13.06.2019, but on the spot there was actually 60 sq. yds. that existed, and the extra 20 sq. yds. were (as per the investigation conducted), got transferred by one Surinder Sood in the name of his wife Asha Sood in collusion with the Municipal Corporations' officials, including the petitioner in the accompanying petition, i.e. Razia.

It has also been stated that on the request of the petitioner, the

investigation stands transferred to the AIG, Crime, Ludhiana Range.

As a matter of a fact, in view of the above, I would see otherwise no reason to continue with this petition, good investigation having been done by the police, but learned counsel for the petitioner submits that in fact the same investigation is being repeated time and again and therefore the matter may be kept pending and a status report may be called for.

Adjourned to 18.05.2021, with the AIG, Crime, Ludhiana Range, directed to file a status report by way of his affidavit, with the petitioner to also place on record, within ten days from today, the sale deed executed in his favour by the aforementioned Vijay Kumar on 13.06.2019.

A copy of the reply be given to the learned counsel for the petitioner by the learned State counsel.

A reply on behalf of respondent no.9 has also been filed vide CRM no.5867 of 2021, which is ordered to be taken on record, with that application disposed of.

(A copy thereof has been given to the counsel for the petitioner).

CRM no.5761 of 2021 in
CRM-M-22183 of 2020

By this application, the applicant-petitioner seeks to place on record her cross-examination in the rent petition filed by the aforesaid Vijay Kumar against one Manjit Singh, who is stated to be a tenant in the premises in dispute.

Notice in the application, with Mr. Ramdeep Partap Singh,

learned DAG, Punjab, accepting notice on behalf of the respondent-State, on the asking of the court.

A copy thereof be given to the learned State counsel.

It being court record, the application is allowed, subject to all just exceptions, with the cross examination of the petitioner in the said rent petition (03.05.2017) ordered to be taken on record as Annexure P-5, with the accompanying petition.

CRM-M-22183 of 2020

By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.0103, dated 01.07.2020, having been registered at Police Station Division no.4, District Ludhiana, alleging therein the commission of offences punishable under the provisions of Sections 465, 467, 468, 471, 474 and 34 of the IPC.

An affidavit having been filed by the Joint Commissioner of Police, Ludhaina, dated 27.02.2021 in the connected petition, the petitioner herein, i.e. Razia, is stated to be one of the officials of the Municipal Corporation, Ludhiana, who actively participated in the commission of the offence of transfer of 20 sq. yds. of land in the name of Asha Sood wife of Surinder Sood.

That being so, though learned counsel for the petitioner tries to point out from her own cross-examination in the aforesaid rent petition that she is not in any manner guilty, however, that is something for the investigating agency to see and with the Joint Commissioner of Police

having shown that she is one of the persons actively involved, I see no reason to entertain this petition, which is consequently dismissed.

However, nothing stated in this order would be taken as an observation on the merits of the case, for or against the petitioner, which would 'go' as per evidence gathered/led.

A copy of the order be placed on the files of the other connected matter too.

02.03.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE