

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CRM-M-39791-2021

Date of Decision : September 23, 2021

Gaurav Vig and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Veneet Sharma, Advocate, for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

The grievance of the petitioners in the present petition is that the petitioners are being harassed on the asking of respondent No.5.

Learned counsel for the petitioners submits that the property belonging to respondent No.5 was mortgaged with the Bank and as respondent No.5 failed to clear the said mortgage, the property in question was auctioned and the petitioners purchased the said property in the auction. Learned counsel for the petitioners further submits that the objections to the auction were raised by respondent No.5 before the Executing Court, which were not accepted but now he has filed a complaint with the police so as to harass the petitioners.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General,

Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondents-State.

On the instructions from respondent No.3, learned counsel for the respondents-State submits that respondent No.5 submitted a complaint to the higher authorities, which has been marked for enquiry and it was only in pursuance to the said enquiry, the petitioners were asked to join but in case, the petitioners are hesitant to join the said enquiry, they will not be called by the police authorities.

Learned counsel for the petitioners submits that a reply to the said complaint has already been filed by the petitioners, which is with the police, hence, the question of summoning the petitioners by the police for the purpose of enquiries does not arise.

Learned counsel for the respondents submits that in case, the petitioners do not intend to personally come to join the enquiry, they will not be forced to do so.

Learned counsel for the petitioners submits that keeping in view the said undertaking given by the learned counsel for the respondents, no grievance of the petitioners survives as of now and therefore, the present petition may kindly be disposed of as not pressed any further in view of the statement of learned counsel for the respondents.

Ordered accordingly.

September 23, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No