

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

CRM-M-40973-2020.
Date of Decision:-24.02.2021.

Dhano

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Dr. Naresh Kaushik, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

MANOJ BAJAJ, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for issuance of direction to the respondent police authorities to take action on the complaint of the petitioner dated 10.07.2020 (Annexure P-1) and lodge case/FIR against the accused persons for committing cognizable offences punishable under Sections 354/506/420/406/120-B/34 IPC.

During the course of hearing, it is not disputed by the learned counsel that her father (testator) died on 30.05.1982 and on the basis of a Will dated 03.05.1982, the property owned by him was mutated in favour of the private respondents on 27.07.1982. He submits that since the mutation was transferred by describing the testator as issueless, therefore, *prima facie*

an offence punishable under Section 420 IPC etc. is made out against the private respondents and despite a complaint given by the petitioner, no action has been taken. He prays for issuance of necessary directions.

In response to the petition, a written reply by way of affidavit of Mrs. Nikita Khattar, IPS, Assistant Superintendent of Police, Sonipat, has been filed wherein, it is mentioned that the petitioner-complainant herself recorded her statement on 10.12.2020 that she does not want any action on the complaint. The said statement is annexed with the reply (Annexure R-1), which further contains the stand of the complainant that she is already pursuing the civil suit in respect of the suit property.

Considering the above background, this Court does not find it to be a fit case for exercising the inherent powers.

Dismissed.

(MANOJ BAJAJ)
JUDGE

February 24, 2021.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.