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

CRM-M-54316-2021

Date of decision : 23.12.2021

Amrit Pal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Pradeep Virk, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for transfer of investigation in the complaint dated 27.11.2021 which is stated to have been filed by respondent No.8-Amit Ahuja.

Learned counsel for the petitioner has submitted that in the present case, in spite of the request, copy of the complaint which had been filed by respondent No.8-Amit Ahuja, on the basis of which, the petitioner had been summoned vide Communication/notice dated 09.12.2021 (Annexure P-3), has not been supplied to the petitioner. It is argued that a perusal of the said communication would show that the same pertains to the dispute regarding the sale of the property in which apparently, it has been alleged that the same had been sold without

obtaining NOC.

Learned counsel for the petitioner has further argued that in fact, the petitioner is interested in settling the dispute with respondent No.8-Amit Ahuja and for the said purpose, he is ready to return Rs.15,00,000/- which the said Amit Ahuja had paid to him. It is contended that the petitioner is facing a two fold difficulty; first is that he has not been supplied the copy of the complaint and second is that the petitioner is under the apprehension that if he appears before the police officials, they may register an FIR and arrest the petitioner thereupon.

Notice of motion for respondent Nos.1 to 5 only.

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 5 and has submitted that he is fully prepared to argue the matter and assist this Court. He has further submitted that a copy of the complaint filed by respondent No.8-Amit Ahuja would be supplied by respondent No.5 to the petitioner within a period of seven days from the date when respondent No.5 would receive the certified copy of the present order.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with direction to respondent No.5 to supply the copy of the complaint to the petitioner within a period of seven days from the date of receipt of certified copy of the present order.

With respect to the prayer made by the petitioner seeking an advance notice before the petitioner is arrested, the petitioner is relegated to the alternative remedy by filing an appropriate petition/application

before the appropriate Court.

The representative of the petitioner would go with the copy of the present order to the office of respondent No.5 and respondent No.5 is directed to supply the copy of the complaint to the said representative of the petitioner who would be carrying an authorization letter issued by the petitioner.

23.12.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No