

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

**CRM-M-8013-2021**

Date of decision: April 08, 2022

Ram Lal Chaudhary

....Petitioner

Versus

U.T., Chandigarh

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Manoj Tanwar, Advocate  
for the petitioner.

Mr. Y.S. Rathore, Additional PP, U.T., Chandigarh.

**ARVIND SINGH SANGWAN, J.**

Prayer in this petition is for transfer of complaints reference Number 201905831 dated 4.4.2019, 202003483 dated 20.2.2020, 202025247 dated 24.12.2020 to some independent Senior Police Officer posted in Union Territory, Headquarter, Chandigarh, other than respondent No.3, the Senior Superintendent of Police, Chandigarh.

It is submitted that the petitioner is having a Company by the name of Orvis Builders and Developers Private Limited and in January 2019, he received a notice under Section 41-A Cr.P.C. to appear before Police Station, Economic Offences, Phase I, Mohali with regard to a complaint given by one Mohammed Iqbal that the petitioner has taken Rs.One Crore from him for sending four persons abroad, however, neither any person was send abroad nor money was returned.

It is stated that at that time, respondent No.3-Kuldeep Singh Chahal, IPS was the Senior Superintendent of Police, Mohali and the Investigating Officer, ASI Gurdeep Singh put pressure on the petitioner to meet him for closing the complaint. In the meantime, respondent No.3 was transferred from Mohali to Tarn Taran and the complaint was, later on, closed by his successor Shri Harcharan Singh Bhullar. It is stated that again one complaint was given by one Gurmit Singh but the same was also closed by the Senior Superintendent of Police, Mohali. Later on, respondent No.3 was again transferred to Mohali and later FIR No.288 dated 9.3.2019 was registered under Sections 406, 420 IPC, Police Station Sohana, District S.A.S. Nagar, Mohali against the petitioner.

Counsel for the petitioner has submitted that this FIR was got registered at the instance of Gurmit Singh with the allegations that the petitioner has demanded Rs.Two Crores from him for getting some work done from one of his known Judge of the High Court with assurance that he will decide the case in his favour. He paid the amount but the judgment came against him. Later on, the petitioner told him that he will get the case decided in his favour from the Supreme Court of India and when the case was dismissed by the Supreme Court of India, he approached the petitioner to return his amount back but the same was not returned.

In the FIR it is also stated that during the enquiry both the parties were called and asked to make their respective statements in which complainant Gurmit Singh stated that Ram Lal Chaudhary approached him that he has familiarity with the Judge of the High Court and on that pretext he has paid the amount.

Counsel for the petitioner submits that the petitioner has also given some representations against false registration of the FIR but no action was taken.

It is further submitted that later on, respondent No.3 was transferred on deputation as Senior Superintendent of Police, Chandigarh. Counsel for the petitioner further submits that similar complaint was made on 4.4.2019 by one Vishal Chugh regarding money transactions levelling allegations that the petitioner has cheated him. It is stated that in the said complaint some enquiry was conducted by the Economic Offences Wing and it was found that it was a civil dispute, as per the information supplied to the petitioner. However later on, on 20.2.2020 the said complainant gave another complaint in the Police Station, Sector 34, Chandigarh. The petitioner applied for obtaining the copy of the complaint under the RTI Act, however, the same was not given as it was pending before the Deputy Superintendent of Police. However, later the petitioner came to know that the complaint was closed.

It is stated that respondent No.3 through the SHO informed the petitioner that he should return the money to Vishal Chugh otherwise FIR will be registered but no copy of notice under Section 41-A Cr.P.C. was served on the petitioner in this regard. It is further stated that while the complaint of Vishal Chugh was pending in Police Station, Sector 31, Chandigarh, he has given in writing that he do not want to pursue the complaint but someone sent a message to the petitioner that he should pay Rs.50 Lacs for closing the complaint to the Senior Superintendent of Police.

Counsel for the petitioner has submitted that even the SHO, Police Station, Sector 34, Chandigarh visited the house of the petitioner with reference to one FIR of Delhi regarding theft of a Lexus car and on enquiry by the female members, the SHO informed that the complainant is Tejinder Pal Setia-respondent No.5. It is stated that the SHO was sent at the instance of Senior Superintendent of Police, Chandigarh. It is further stated that respondent No.5 Tejinder Pal Setia has given the complaint on the asking of the Senior Superintendent of Police, Chandigarh and in this regard FIR No.2738 dated 30.1.2020 is registered at Police Station (North), Rohini, District Crime Branch, Delhi. It is stated that though the car belongs to the petitioner and was used by his family, the FIR in Delhi has been wrongly got registered by Tejinder Pal Setia. It is stated that Tejinder Pal Setia has given 05 flats to petitioner in the name of his son Rahul Chaudhary against payment of Rs.01 Crore through RTGS @ Rs. 55 lacs each per flat, as per MOU dated 5.3.2016. In lieu of the 05 flats, Tejinder Pal Setia had agreed to give his Lexus Car on the basis of which the FIR was registered in New Delhi.

It is further submitted that respondent No.3 is biased against the petitioner and under his influence respondents No.4 and 5 are harassing him.

During the course of arguments, the petitioner has also submitted that now an FIR No.177 dated 11.11.2021 under Sections 420 and 120-B IPC was registered at Police Station, Sector 34, Chandigarh on the complaint given by one Atulya Sharma, resident of Gurugram with the allegations that he was introduced with the petitioner through his Guruji's disciple Varinder Singh @ Babbu, the petitioner invited him to attend the wedding of his daughter at Chandigarh. Thereafter, the petitioner visited him and started having faith in

him. He was looking for some investment opportunity and the petitioner demanded Rs.05 Crores with assurance of earning good profit and the complainant by selling his house in Mumbai and encashing the provident fund gratuity etc. paid Rs.05 Crores to petitioner-Ram Lal Chaudhary on different dates but the petitioner did not return the amount and rather cheated him.

Counsel for the petitioner has then referred to another FIR No.182 dated 17.11.2021 under Sections 420, 120-B IPC, registered at Police Station 34, Chandigarh, at the instance of one Naresh Kumar, resident of Panchkula, wherein he has alleged that he was a District Revenue Officer in Haryana and met with an influential person with regard to a complaint pending in the Vigilance Department regarding a scam of 250 Crores of rupees. His friend Satish Yadav told him that his friend Roop Singh has links with petitioner Ram Lal Chaudhary, who was doing the liaisoning work with high politicians and influential persons. The petitioner demanded Rs.06 Crores for settling the dispute in Vigilance Department and by selling one flat in the name of his mother Swatri in Gurugram, he arranged Rs.3 Crores which were handed to petitioner-Ram Lal Chaudhary in the presence of aforesaid two persons but the Vigilance Department still registered an FIR against the complainant and it is stated that the petitioner has cheated him.

Counsel for the petitioner submitted another FIR has been registered against the petitioner, i.e. FIR No.7 dated 10.1.2022 at the instance of one Teja Singh, resident of Ludhiana, wherein he has stated that his son is an accused in a murder case and is confined in judicial lockup. The petitioner approached him that if he pay him Rs.01 Crore, he will manage his acquittal through a Judge of High Court. In the FIR the details of the amount arranged by

the complainant are given but when his son was not acquitted he started demanded the money back and the petitioner started threatening him. The counsel has submitted that these cases are registered at the instance of respondent No.3.

Reply by way of affidavit of Ms. Shruti Arora, IPS, SDPO (South), Chandigarh, UT., is on record. As per the reply, it is stated that Vishal Chugh has given a complaint giving details of an FIR dated 21.5.2018 registered under Sections 302/34 IPC, Police Station Manimarja, in which it is stated that a police official, namely, Swaran Singh allured complainant-Vishal Chugh regarding procuring bail of Kamal Bhumbla and complainant was introduced to petitioner Ram Lal Chaudhary and his son Amit @ Amu Chaudhary. The petitioner claimed having links with higher officials and in that process complainant has paid Rs.30 lacs to the petitioner by withdrawing it from his bank account. It is further stated on the affidavit, that in an enquiry it is found that the petitioner is involved in the following cases :-

1. FIR No.116 dated 22.3.2005 under Sections 15, 18, 29, 61, 81 under the NDPS Act, Police Station Sector 5, Panchkula, Haryana.
2. FIR No.480 dated 31.10.2008 under Section 279 IPC, Police Station Manimajra, Chandigarh.
3. FIR No.288 dated 3.9.2020, under Sections 406, 420 IPC, Police Station Sohana, SAS Nagar, Mohali.
4. FIR No.177/2021 182/2021 and 7/2022 under Sections 420, 120-B IPC, Police Station 34, Chandigarh.
5. FIR No. 266 dated 15.8.2002 under Sections 328, 376, 389, 115, 117, 120-B IPC, Police Station-34, Chandigarh.

6. FIR No.296 dated 26.7.2000 under Sections 147, 149, 325, 307 IPC, Police Station-29, Chandigarh.
7. FIR No.2738 dated 230.1.2021 under Section 379 IPC, Police Station Rohini, Delhi.
8. FIR No.530 dated 17.10.2014 under Sections 302, 419, 471, 120-B, 34 IPC.

It is further stated that some of the cases related to Panchkula, Mohali and Delhi and the concerned State is not made a party. In Para 9 of the affidavit it is stated that during the enquiry of complaint given by Vishal Chugh statement of the witnesses were recorded and notice was given to the petitioner to appear before the Enquiry Officer and a notice was served through his daughter-in-law, namely, Naina but the petitioner did not appear. In the enquiry the contents of complaint, by Vishal Chugh were found to be correct as per supporting evidence. It is further stated regarding the allegations against respondent No.4 for visiting the house of the petitioner in context with the FIR No.273 dated 30.1.2021 under Sections 379 IPC, Crime Branch Delhi, Police Station North Rohini, registered at the instance of Tejinder Pal Setia that the police party visited his house on the request made by the police of Police Station Rohini, i.e. by one SI Varinder Sandhu and the stolen car was taken in possession vide DDR No.53.

Later on, the Illaqua Magistrate released car on *Superedari* in favour of Tejinder Pal Setia. It is further stated that as and when a complaint is received the police authorities are bound to conduct an enquiry to conclude the same to its logical end and there is no *mala fide* on the part of respondent No.3, in any manner.

The details of the other FIRs, as stated by the petitioner registered at Chandigarh, is also given in the affidavit as the complainants have come forward to state that they have been cheated by the petitioner.

Learned counsel for the UT., Chandigarh has submitted that in fact it is the *modus operandi* of the petitioner to cheat the people by taking them in confidence that he do the illegal work of liaisoning with the politicians, high Police officers and even Judges to get work done and in that process when on enquiry the complaints were found to be genuine, the FIR was registered and false allegations have been levelled against respondent No.3-SSP, Chandigarh just to create grounds as the petitioner, at the time of filing of the petition, was anticipating that different complaints are pending against him and may result in registration of FIRs.

After hearing learned counsel for the parties, I find no merit in the present petition for the following reasons :-

- (i) The affidavit of the SDPO (South), Chandigarh is very clear about the antecedents of the petitioner and the pendency of the number of criminal cases of similar nature. A perusal of the FIRs which are referred to against the petitioner reveals that all the complainants who are from different places are alleging that the petitioner approached them to get their work done and also allured them to part away with huge amount of money. In one FIR of New Delhi, complainant Tejinder Pal Setia alleged that his car worth Rs.2.33 lacs has been illegally taken by the petitioner. In complaint filed by Gurmit Singh, it is stated that his case was pending in the High Court when petitioner approached him and demanded Rs.Two Crores for getting favourable order stating that he is known to a sitting Judge of High Court and when the case was not decided in his favour, the petitioner again represented that

he will get the matter settled in the Supreme Court and after the decision of the Supreme Court, he refused to return the amount which clearly show the criminal intention of the petitioner.

- (b) In the complaint given by Vishal Chugh again it is stated that the petitioner has demanded Rs.3.5 Crores for settlement of some case by saying that he is known to a High Court Judge and he will get the case settled and in that process he has cheated Vishal Chug.
- (c) In the FIR got registered by Tejinder Pal Singh it is stated that his son is facing a murder trial and petitioner took Rs.One Crore 10 Lacs for getting him acquitted from Court and, later on, he refused to pay back the amount.
- (d) In the FIR registered by Atulya Sharma it is stated that he had some work and paid Rs.3 crore by selling his house to the petitioner and later on he found that he has been cheated.
- (e) In the FIR registered at the instance of Naresh Kumar, it is stated that he was facing an enquiry by the Vigilance Department and petitioner demanded Rs.03 Crore for settling the dispute with Vigilance Department, Haryana and despite taking the amount which was given in the presence of two persons, the Vigilance Department registered the FIR and petitioner refused to return the amount.
- (f) The stand of U.T., Chandigarh is clear that it is the *modus operandi* of the petitioner that he, with intention to cheat, daringly approaches the persons, who are looking for someone who has liaison with the higher officers and in that process, he has duped a number of persons.
- (g) From the bare perusal of the FIRs as well as affidavit of the SDPO (South), Chandigarh, I find that respondent No.3 Kuldeep Singh Chahal, Senior Superintendent of Police prior to his posting by deputation in Chandigarh, was posted as Senior Superintendent of

Police, Mohali and Tarn Taran and since the complaints against the petitioner are pending at both the places, he has adopted the novel method to level allegations against Senior Police Officers without any basis that he is being harassed by involving him in false cases, whereas the cases has been registered against the petitioner after conducting enquiry and giving him notice to appear and petitioner now stands arrested.

- (h) The present petition is filed just to creat ground of defence as petitioner knew about the serious allegation in complaints pending against him (as per prayer clause), wherein as per enquiries it is found, he has duped and cheated number of persons worth crores of rupees by alleging them that he has contacts with politicians, bureaucrats and even judges.

In view of the above, I find no merit in the present petition and the same is dismissed with cost of Rs.01 Lac to be deposited with the High Court Lawyers' Welfare Fund within a period of four months from today.

**April 08, 2022**  
satish

**( ARVIND SINGH SANGWAN )**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No