

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-27752-2021 (O&M)

Date of decision: 08.12.2022

VEENA KHETARPAL

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Mr. Kamalpreet Bawa, AAG Punjab.

AMAN CHAUDHARY. J.

Present petition has been filed for issuance of direction to the respondents to take cognizance of the commission of offence under Section 154 of the Code of Criminal Procedure and to act in accordance with law against the private respondent No.6 for committing the offence of cheating and fraud with the petitioner to the tune of Rs.12 lakhs.

Notice of motion in this case was issued on 21.02.2022, pursuant thereto short status report dated 08.12.2022 by way of affidavit of Bikramjit Singh Brar, PPS, Deputy Superintendent of Police, Sub-Division Zirakpur, District SAS Nagar has been filed.

Learned State counsel makes a reference to para 3 of the preliminary submissions, which reads thus:-

“3. That after conducting a detailed inquiry into the matter, it has been found that petitioner had filed a case against Sai Apartment before the Punjab Real Estate Regulatory Authority, which has already been dismissed on 01.02.2022. It is further found that the petitioner has given application after about 10 years, whereas, neither she had given any such application before, nor she had filed any case with regard to the execution of the sale deed, against Sai Apartments. It has

further been found that the petitioner is making a claim of payment of Rs.9 lakhs in cash by withdrawing the same from the self-account on 19.01.2011 and a sum of Rs.3 lakhs is shown to be transferred on 02.05.2011, whereas the alleged full and final letter shown by the petitioner is of 24.09.2011. There is no mention of any payment on the said letter head dated 24.09.2011, nor there is mention of any date of execution of the sale deed. The petitioner also could not show any evidence with regard to filing of any case for the registration of sale deed etc. Accordingly, it has been found that the case is of a civil nature and no police intervention is required into the allegations leveled by the petitioner in her representation dated 04.08.2020.”

In view of the aforesaid, learned State counsel submits that the present petition has been rendered infructuous and may be disposed of as such.

In view of the above, no further orders are required to be passed in the present case.

Petition is disposed of as having been rendered infructuous.

However, liberty is granted to the petitioner to avail of alternate remedy, available to him, in accordance with law.

(AMAN CHAUDHARY)
JUDGE

December 08, 2022

S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*