

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

102

**CRWP-3897-2022(O&M)
Decided on : 31.01.2023**

Surinder Kumar Saggu and others

. . . Petitioner(s)

Versus

State of Punjab and others

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Rajesh Bansal, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

In response to the petition, status report dated 02.09.2022 by way of affidavit of Vaibhav Sehgal, PPS, Assistant Commissioner of Police (South), Ludhiana on behalf of official respondents No.1 to 9 is available on record.

Para 4 to 8 of the status report says as under:

“4. That the facts of the case are that the private respondents are the owners of the plots/houses at Satjot Nagar, Dhandra Road, Ludhiana. Similarly, petitioners no.2 and 3 are also owners of area in the said locality and on the basis of ownership of petitioners are petitioners no.2 and claiming their right plots in the said locality due 3, over this the some to which civil disputes are pending between the parties.

5. That earlier on the same allegations, petitioner no.1 had moved various applications. Similarly respondent no.11-Vishal Kumar had also moved representations dated 17.12.2019, 18.12.2019 and 28.01.2020. Accordingly, the Commissioner of Police, Ludhiana vide order constituted a SIT consisting of JCP-HQ and ADCP-HO and Security, Ludhiana to conduct enquiry on the said representations of petitioner no.1 and respondent no.11. Accordingly, the said SIT conducted detailed enquiry into the entire matter and it was revealed that no police action is warranted in the matter. Infact, petitioner no.1 had alleged that respondent no.11 has illegally taken possession of his plot. During the enquiry both the parties were joined and it was revealed that respondent no.11 had purchased plot no.33 measuring 100 square yards from Jaswant Singh and Manjit Kaur. Similarly petitioners no.1 and 2 had purchased about 3 Acres of land from Nirmal Singh and thereafter petitioner no.2 transferred Plot No.133 measuring 100 square yards in f OTP ber son Roxi Saggu-petitioner no.3 vide Deed hearing Wasika No.842 dated 20.04.2017 and petitioner no.2 is also owner of area measuring 6772 square yards and on the

basis of this ownership of petitioners no.2 and 3, the petitioners are claiming their right over the plot of respondent no.11 bearing Plot No.33 whereas respondent no.11 is the owner of the said plot. Therefore no police action is warranted on the said representations of petitioner no.1. The above noted enquiry report of the SIT has been further examined and verified by the Commissioner of Police, Ludhiana as well.

6. That it is further submitted that on the statement of respondent no.44-Heera Lal, FIR No.22 dated 10.02.2022, u/s 379, 447, 427, 34 IPC, P.S. Sadar, Ludhiana has been registered against petitioner no.1 and his co-accused Manjit Singh and 4/5 unknown persons in which the complainant has alleged that he has one plot measuring 255 square yards in the name of his wife Neelam Rani/ respondent no.45 which was purchased by the complainant 10-12 years ago; a boundary wall was raised, room was installed therein. constructed and a gate was The NOTA complainant has also obtained a loan of Rs.45.00 lacs on this plot and the same has been duly entered in the revenue record. It was further alleged that on 08.02.2022 the complainant and his son Rahul went to their said plot at about 02.00 PM and they saw that petitioner no.1, Manjit Singh and 4/5 unknown persons were standing there and they had stolen the bricks of the boundary wall and room, iron gate and the articles lying in the room and they were digging the foundations by hiring labour.

7. That apart from the above, FIR No.106 dated 10.06.2022, u/s 379, 447, 511, 120-B IPC, P.S. Sadar, Ludhiana has been registered against petitioners no.1, 3 and their servant Lachhman on the complaint of respondent no.40-Manjit Singh.

8. That petitioner no.1 is a habitual offender and is involved in a number of crimes of fraud etc. and the following FIRS have also been registered against petitioner no.1:-

Sr. No.	FIR No. & Date	Under Sections	Police Station	Status
1.	FIR No.106 dated 10.06.2022	u/s 379, 447, 511, 120-B IPC	P.S. Sadar, Ludhiana	Under investigation
	FIR No.22 dated 10.02.2022	u/s 379, 447, 427, 34 IPC	P.S. Sadar, Ludhiana	Under investigation
3.	FIR No.57 dated 15.04.2011	u/s/ 420, 120-B IPC	P.S. Sadar, Ludhiana	Acquitted
4.	FIR No.86 dated 25.05.2011	u/s 420, 120-B IPC	P.S. Sadar, Ludhiana	Acquitted
5.	FIR No.56 dated 17.05.2012	u/s 420, 120-B IPC	P.S. Sadar, Ludhiana	Cancellation Report prepared
6.	FIR No.58 dated 11.04.2006	u/s 382 IPC	P.S. Sarabha Nagar, Ludhiana	Acquitted
7.	FIR No.12 dated 13.01.2006	u/s 420, 406 IPC	P.S. Divison No.5, Ludhiana	Convicted
8.	FIR No.20 dated 09.04.2011	u/s 420, 467, 468, 471, 120-B IPC	P.S. Haibowal, Ludhiana	Acquitted

9.	<i>FIR No.21 dated 10.04.2011</i>	<i>u/s 420, 467, 468, 471, 120- B IPC</i>	<i>P.S. Haibowal, Ludhiana</i>	<i>Acquitted</i>
10.	<i>FIR No.309/2001</i>	<i>420, 406, 504, 506, 120, 109, 34 IPC</i>	<i>P.S. Sadar, Kurukshetra (Haryana)</i>	<i>Acquitted</i>
11.	<i>FIR No.408/2006</i>	<i>u/s 420, 406 IPC</i>	<i>P.S. Sadar, Kurukshetra (Haryana)</i>	<i>Acquitted</i>
12.	<i>FIR No.39 dated 30.01.2007</i>	<i>u/s 420, 467, 468, 471, 120- B IPC</i>	<i>P.S. Sadar, Dhanesar, District Kurukshetra (Haryana)</i>	<i>Acquitted</i>
13.	<i>FIR No.190/2018</i>	<i>u/s 420, 506, 120-B IPC</i>	<i>P.S. City Khanna</i>	<i>Under investigation</i>
14.	<i>FIR No.250/2006</i>	<i>u/s 406, 120-B IPC</i>	<i>P.S. Sadar, Ludhiana</i>	<i>Cancellation Report prepared</i>
15.	<i>FIR No.110 dated 21.05.2014</i>	<i>u/s 447, 511 IPC</i>	<i>P.S. Sarabha Nagar, Ludhiana</i>	<i>Untrace Report prepared</i>

Faced with the situation, counsel for the petitioners seeks withdrawal of the present petition with liberty to seek alternative remedy available to him under the law.

Dismissed as withdrawn, with liberty aforementioned.

Miscellaneous application(s), if any, stands disposed of.

(SANJAY VASHISTH)
JUDGE

January 31, 2023
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No