

Neutral citation No.:2023:PHHC:074286
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

134 CRM-M-25875-2023
Date of Decision: 22.05.2023

Ved ParkashPetitioner
Versus

State of Punjab and anotherRespondents

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Dhawan, Advocate for the petitioner.
Ms. Navreet K. Barnala, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
54	18.03.2023	Division No.6, District Police Commissionerate Ludhiana	420 IPC

Aggrieved by the registration of above said FIR on the grounds that property in question was already sold vide sale deed No.16675 dated 08.01.2007, prior to the sale to the complainant, the accused has come up before this Court seeking quashing of FIR, on the ground that in the sale deed entered between the petitioner and the complainant, which was specifically put into possession.

2. The petitioner has drawn attention of this Court to page 36/37 of the petition, whereby vide sale deed dated 18.06.2010, the purchaser was put into possession. Counsel further submits that he would be contended and satisfied if he is permitted to withdraw the present petition with liberty to file a fresh representation before the concerned Commissioner of Police and the same shall be decided in a time bound manner.

3. Given above and considering the allegations of a prior sale deed, the petitioner is permitted to file a fresh representation before the concerned Commissioner of Police by 19.06.2023 and in case, the petitioner makes a such representation, the concerned Commissioner of Police, either personally or

delegate the same to any IPS Officer under him, shall decide the same within two months from the date of filing of representation. It is clarified that such order must be a reasoned order, and the same be communicated to the representationists without delay. It is further clarified that till decision of the representation, the police report shall not be filed. However, it is further clarified that this stay order shall remain in force only till 19.06.2023 and in case the petitioner files a representation by 19.06.2023, then it shall extend to two months from the date of representation or decision on representation whichever is earlier. It is also clarified that in case, the petitioner still aggrieved, liberty reserved to file a fresh petition after making out a prima facie case.

4. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

5. **Petition is disposed to the extent mentioned above.** All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

22.05.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no