

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-15260-2020
Date of decision: 13.07.2023

BALWINDER KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr.Rahul Bhargava, Advocate
for the petitioner.

Ms. Niharika Sharma, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for setting aside the order dated 08.09.2020 issued by respondent No.4 on instructions from respondent No.3 directing freezing of the properties owned by Jaspal Singh son of Gurmeet Singh resident of Reyar, Police Station Ajnala-deceased husband of the petitioner.

2. Counsel for the petitioner has contended that petitioner is widow of late Jaspal Singh who had passed away in the year 2011. She has 04 children out of the wedlock. Her brother-in-law namely Dilbagh Singh was accused in FIR No. 45 dated 01.04.2006 registered at Police Station

Ajnala under Section 302 of the IPC and he was declared as a proclaimed offender on 09.12.2006.

3. That vide the impugned order dated 08.09.2020, the Station House Officer, Police Station Ajnala, had directed that the properties owned by Jaspal Singh-deceased husband of the petitioner be frozen with immediate effect.

4. Counsel for the petitioner pointed out that in the first reply filed by the respondent-State, it was averred that the property being house situated in Ward No. 08 in Ajnala was suspected to be owned by Dilbagh Singh and that the investigation qua the same is being conducted. An additional status report dated 07.02.2023 filed by way of an affidavit of Sanjeev Kumar, PPS, Deputy Superintendent of Police, Sub Divisional Ajnala as per which it has been reported that ownership of the house has been verified and as per the records of the Revenue Department the same was not in the ownership of the accused namely Dilbagh Singh was, thereafter, filed wherein it has been verified by them that the said property was the property of Jaspal Singh.

5. Counsel for the respondent-State does not dispute or controvert the abovesaid fact.

6. In view of the aforesaid undisputed factual aspect, there seems to be no valid force in continuation of the order No. 1170/SE dated 08.09.2020 whereby property owned by late Jaspal Singh son of Gurmeet Singh (husband of the petitioner) resident of Reyar, Police Station Ajnala was ordered to be freezed.

7. In view of the above, the present petition is allowed. The order No. 1170/SE dated 08.09.2020 with respect to the property referred to in the report dated 06.02.2023 appended alongwith the status report filed by way of

an affidavit of Sanjeev Kumar, PPS, Deputy Superintendent of Police, Sub
Division, Ajnala is vacated.

The petition is allowed.

(VINOD S. BHARDWAJ)
JUDGE

JULY 13, 2023
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No