

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

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CRM-M-53193-2019

Date of decision: 13.07.2023

Jaspaljeet Kaur

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Dolli Sharma, Advocate for
Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. HS Sullar, Sr. DAG, Punjab.

Mr. Akhil Ahuja, Advocate
for respondents No.6, 8 and 11 to 13.

AMAN CHAUDHARY, J.

1. This petition has been filed under Section 482 Cr.P.C. with a prayer for directing the respondent No.3 to 5 to initiate appropriate legal action against respondents No.6 to 20 for their illegal act of defrauding the petitioner for an amount of approximately Rs.5.5 crore.

2. Reply by way of affidavit dated 14.12.2022 of Paramjit Singh, DSP, NRI Wing, Patiala had been referred to by the Learned State counsel, the para relevant thereof reads thus:-

“The documents and evidence produced by Kamaljit Kaur till date, has been deeply perused and perusal of that it has come to light that Jaspaljit Kaur made no transaction with Kamaljit Kaur or its family members or her relatives. If the applicant Jaspaljit Kaur feels that Kamaljit Kaur had taken amount from her, then she can recover the amount from Kamaljit Kaur on the basis of the documents through the Court. She has not transferred

any amount directly in the name of Kamaljit Kaur. Jaspaljit Kaur is now residing in Phillippine. She can file a suit against Malkeet Singh in the Court and can recover the amount from Malkeet Singh. The dispute is relating to the money transaction and as such is of civil nature. As such no action is required to be taken by the NRI Wing, the Asstt. Inspector General of Police/NRI Wing/SAS Nagar has recommended to consign the application to the record. After agreeing with the said inquiry report, the ADGP, NRI Wing, SAS Nagar has consigned the said application to the record.

True translated copy of order dated 21.07.2022 passed by the ADGP, NRI Wing, SAS Nagar on the said inquiry report dated 18.07.2022 conducted by AIG, NRI Wing, Phase-7, SAS Nagar is annexed as Annexure R-1/T.”

3. Learned counsel for respondents No.6, 8, 11, 12 and 13 has filed joint reply, which is taken on record and also submits that there is a civil suit already instituted by respondent No.6, husband of the petitioner, against respondent No.14, which is pending.

4. In view of the above, no further orders are required to be passed. Accordingly, the present petition is disposed of with liberty to the petitioner to avail of alternate remedy, if any, available to her in accordance with law.

(AMAN CHAUDHARY)
JUDGE

13.07.2023
ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No