

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31239-2018
DECIDED ON: 26.04.2024

PARAM HANS SWAMI UMA BHARTI MISSION (REGD)
REWARI AND ORS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioners.

Mr. Gurbir Singh Dhillon, AAG, Haryana.

Respondent No.7-Amit Swami present in person.

Mr. Rajesh K. Kataria, Advocate
for respondent No.8.

Ms. Vamika Johar, Advocate for
Mr. Pritam Singh Saini, Advocate for respondent No.10.

Mr. J.P. Sharma, Advocate
for respondent No.11.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. seeking direction to respondents No.1 to 3 to entrust the enquiry of complaint dated 11.05.2016 (Annexure P-3) to some independent agency like CBI or some High Ranking Officer not below the Rank of Superintendent of Police, so as to impart justice to the petitioners because the respondents in connivance with each other are alienating the property of the Mission despite the fact that receiver was appointed vide order dated 15.07.1995 (Annexure P-1) to manage and look after the property of the Mission but now the receiver is also in league with the accused persons and they are selling the property of the mission illegally.

Respondent No.7 has appeared in person and produces a copy of death certificate dated 21.12.2018 to certify that petitioner No.3, namely Manohar Lal son of late Sh. Chaman Dass have left for heavenly abode, whose name needs to be deleted from the memo of parties. Copy of death certificate is taken on record.

In view of the above, the name of petitioner No.3 stands deleted.

A perusal of the order sheet dated 10.08.2023, it is recorded as under:-

“At the outset, Mr. Bagri seeks and is granted permission to withdraw the power of attorney qua petitioners No.1, 2 and 4.

Respondent No.7-complainant is pressing application under Section 340 Cr.P.C. bearing CRM-17678-2023.

List on 16.11.2023 for arguments.”

Since nobody is representing petitioners No.1, 2 and 4 and as per death certificate produced by respondent No.7 today in Court that petitioner No.3 has already died, it is sufficient enough for this Court to infer that the petitioners are not at all serious to pursue their litigation.

Hence, the same is dismissed for non-prosecution.

(SANDEEP MOUDGIL)
JUDGE

26.04.2024
Poonam Negi

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No