

2024:PHHC:042470

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRWP-9520-2023
Date of decision : 20.03.2024

Sukhdev Singh Petitioner

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. By way of present petition filed under Article 226 of the Constitution of India, petitioner is seeking issuance of direction to respondents No.2 to 4 to protect his life and liberty and his family members at the hands of respondents No.5 and 6.
2. Short reply by way of affidavit has been filed. The same is taken on record. The stand of the State reads as under:-

“xx xx xx

5. That it is further submitted that as per provisions of Section 210 Cr.P.C. no stay has been passed by the Court of learned JMIC, Baba Bakala Sahib, Amritsar or any other Hon'ble Court of law qua the enquiry being conducted qua the aforesaid complaint No. 4617/2023 given to the NRI Commission, Punjab by son of the respondent No. 6-Mangal Singh, which is being conducted in pursuance to the order dated 19.06.2023 passed qua this application by the NRI Commission, Punjab.

2024:PHHC:042470

Moreover, taking cognizance on 07.12.2023 qua the above said criminal complaint by the Court of learned JMIC, Baba Bakala Sahib, Amritsar came to notice only on the last date of hearing dated 11.03.2024 of the present petition.

6. That it is worthwhile to submit here that the aforesaid enquiry qua the aforesaid complaint No. 4617/2023 given to the NRI Commission, Punjab by son of the respondent No. 6- Mangal Singh is being conducted with respect to the alleged forgery of signature of Kunnan Singh father of respondent No. 6-Mangal Singh on the Will in question. Therefore, signature of Kunnan Singh father of respondent No. 6-Mangal Singh available on the Will in question has been got examined/compared with admitted signatures of Kunnan Singh from Forensic Science Laboratory, Punjab, SAS Nagar. The report thereof has been received. As per which, the signature of Kunnan Singh available on the Will in question does not match with his admitted signatures. The report of FSL is annexed herewith as **Annexure R-1** for the kind perusal of this Hon'ble Court.

7. That it is pertinent to submit here that the present petitioner Sukhdev Singh has not been called after 02.11.2023 by the Enquiry Officer and the aforesaid enquiry being conducted qua the aforesaid complaint No. 4617/2023 given to the NRI Commission, Punjab by son of the respondent No.6-Mangal Singh has yet not been concluded and has been kept in abeyance subject to order or direction which this Hon'ble Court may please to pass in the present petition."

3. Mr. Aggarwal, on instructions from ASI Harjit Singh, submits that since the issue with respect to taking of cognizance by the

2024:PHHC:042470

Court vide order dated 07.12.2023 was not in the knowledge of the authorities, the enquiry was being conducted and now once the said fact has come to the notice, the result of the dispute shall abide by the decision taken by the criminal Court in the complaint.

- 4. The aforesaid statement made by counsel for the State satisfies the counsel for the petitioner.
- 5. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

20.03.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No