

2024.PHHC:168855



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

SR. No.112

CRM-M-63014-2024

Date of decision:17.12.2024

Sunita Rani

...Petitioner

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. Peeush Gagneja, Advocate for the petitioner.

N.S. SHEKHAWAT, J.

1. The present petition has been filed under Section 482 of the Code of Criminal Procedure with a prayer to issue directions to the Court of SDJM, Dera Bassi, Mohali to expedite the proceedings and to take a final decision on the cancellation report produced by the police in case FIR No.93 dated 06.06.2012 under Section 36(1) of the Punjab Apartment and Property Regulation Act, 1995 registered at Police Station Dera Bassi, District SAS Nagar.

2. Learned counsel for the petitioner contends that the aforesaid FIR has been falsely registered against the petitioner. After the investigation, a cancellation report was presented by the police on 06.01.2024 before the Court of SDJM, Dera Bassi. However, the complainant, i.e. Additional Chief Administrator, Greater Mohali Area

Development Authority, PUDA Bhawan, Mohali-respondent No.4 is not appearing before the Court of Area Magistrate.

3. Notice of motion.

4. On the asking of Court, Mr. I.P.S. Sabharwal, DAG, Punjab accepts notice on behalf of the respondents No.1 to 3.

5. There is no need to serve the notice on respondent No.4 at this stage, as no adverse order is being passed against him.

6. From the perusal of the case file, it is apparent that the notices have been repeatedly issued to respondent No.4, but he is not appearing before the Court of Area Magistrate. Even when summons were sent to him for appearance before the Court of Area Magistrate on 16.03.2024, he refused to accept the summons sent by the court.

7. Learned counsel for the petitioner has informed the Court that now the next date of hearing before the Court of Area Magistrate is fixed on 31.01.2025.

8. In view of the above, in case respondent No.4 does not appear on the said date before the Court of Area Magistrate, coercive process may be issued against him to ensure his presence before the Court of Area Magistrate, Dera Bassi at the earliest.

9. With these observations, the present petition stands disposed of.

(N.S. SHEKHAWAT)
JUDGE

17.12.2024
mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO