



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-10580-2024 (O&M)

Date of decision: 26.08.2025

Rajnish Kumar Thakur and another

...Petitioners

VERSUS

State of Punjab and others

...Respondents

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

Present :- Mr. Surya Pratap Singh, Advocate for
Mr. Navjot Singh, Advocate for the petitioner(s).

Mr. I.P.S. Sabharwal, DAG Punjab.

Ms. Shivya Sehgal, Advocate for respondents No.7 and 8.

Mr. Rohit Rana, Advocate for respondents No.9 to 13.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been filed for directing respondents No.4 to 6 for conducting fair, proper and impartial investigation by an independent investigating agency as the Special Investigating Team constituted by the Commissioner of Police, Ludhiana vide order dated 24.07.2021 pursuant to complaint bearing UID No.2172147 dated 21.10.2021 is harassing the petitioners and holding them for ransom against the disputed cheques.

2. A status report by way of an affidavit dated 26.04.2024 of Sh. Amandeep Singh Brar, PPS, Additional Deputy Commissioner of Police-



Investigation, Ludhiana, on behalf of respondents No.1 to 6 pursuant to the order dated 01.03.2024 passed by this Court has already been filed. It has been set out in the said status report that the SIT has already concluded the inquiry and prepared the inquiry report dated 25.04.2024. It was concluded by the SIT that the matter pertains to money transaction between the parties and civil cases are already pending between them in different Civil Courts and that no police action is warranted against the same, being primarily a civil dispute. The relevant extract of the said status report reads thus:-

“4. That in compliance to the above noted order of this Hon'ble Court, it is respectfully submitted that the Special Investigating Team (SIT) has already concluded the enquiry and has also prepared an Enquiry Report dated 25.04.2024. During the enquiry, the SIT found that the matter pertains to the money transaction between the parties and civil cases are pending between the parties in different Civil Courts and no police action is warranted in the matter. The said Enquiry Report of the SIT has been further examined and verified as well by the Commissioner of Police, Ludhiana.

However, thereafter petitioner no.1 moved an Application with the then Commissioner of Police, Ludhiana bearing UID No. 2172147 dated 21.10.2021 that enquiry into the matter be got conducted from some other SIT and that ASI Malkit Ram be excluded from the enquiry. Accordingly another SIT was constituted by the Commissioner of Police, Ludhiana



vide Order No.8183/Lit. Cell dated 27.03.2024 consisting of ADCP-Investigation, ACP-Civil Lines and SHO-P.S. Division No. 5, Ludhiana. The said SIT conducted an intensive enquiry into the matter and ultimately found that the matter pertains to the money transaction between the parties and civil cases between the parties are pending in different Courts and no police action is warranted in the matter. The said enquiry of the SIT has also been examined and verified as well by the Commissioner of Police, Ludhiana.”

3. Despite the aforesaid status report having been filed in the month of April-2024, no counter to the same has been filed at any point in time.

4. Counsel for respondents No.7 and 8 submits that there is no dispute between the petitioners and the said respondents.

5. Counsel appearing on behalf of the remaining private respondents submits that as a matter of fact the matter already stands settled amicably amongst the parties in the proceedings that were pending before the Judicial Magistrate 1st Class, Court at Girgaon, Mumbai in C.C. No.1860/SW/2016. It was undertaken by the petitioners herein (accused in the said proceedings) to withdraw the instant proceedings as per the terms and conditions of the settlement as incorporated in para No.6 of the settlement, which reads thus:-

“6. *The Accused himself and through his Company Thakur properties Pvt Ltd has filed Civil Suit before Civil*



Judge Senior Division, Ludhiana bearing no.CS/540/2016 against complainant company and its directors which is still pending before the said court. The Accused has also filed petition bearing no. CRM-M10580/2024 which is still pending before High Court at Punjab & Haryana, Chandigarh wherein complainant and its directors are Respondent No. 9 to 13. The Accused has also filed petition bearing Case No. 5072/2024 which is still pending before High Court at Punjab & Haryana, Chandigarh wherein complainant and its directors are Respondent No. 9 to 13. The Accused through his company Thakur properties Pvt. Ltd has also filed Civil Revision (CR) No. 6613/2023 against Complainant company and its director before High Court at Punjab & Haryana which is still pending before the said Court. The Accused through his company Thakur Properties Pvt Ltd has also filed Civil appeal bearing no. CMA/117/2023 against Mr. Dilipkumar Lakhi before District Court at Ludhiana which is still pending before the said Court. The Accused has agreed and undertaken to withdraw all litigation / suit/ application/petition/appeal filed by him and his company Thakur Properties Pvt Ltd against Complainant Company & its directors immediately by mentioning the matters within 2-3 weeks and taking these on board after order on this composition application. The Accused will forward certified copies of all withdrawal orders of these



proceedings in due course of time.”

6. Considering it from either perspective including the fact that an inquiry has already been conducted by the SIT and it has submitted it report in 2024 to the effect that there is no criminal dispute and the dispute primarily is civil in nature, I find that it would serve no purpose by keeping the instant petition pending. The same is accordingly ***dismissed at this stage*** with liberty to the parties to take recourse to the appropriate alternative remedies, if so desired.

(VINOD S. BHARDWAJ)
JUDGE

26.08.2025

Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No