



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

CRM-M-22447-2025 (O&M)
Date of decision: 30.04.2025

Nishan Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

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

HARPREET SINGH BRAR, J.(Oral)

1. The present petition has been filed under Section 482 Cr.P.C. (now *Section 528 of BNSS, 2023*) seeking a direction for an inquiry into the sale of land being used by the Indian Armed Forces, by the CBI or any other independent agency.

2. Briefly, the facts are that a certain piece of land was acquired in village Fattuwalla, District Ferozepur by the Union of India in the year 1937-38. The said land was being used by the Indian Air Force as an Air Strip and Advance Landing Ground, and the same was also profitably used by the Indian Armed Forces in the wars of 1962, 1965 and 1971. However, in connivance with the revenue officials, the land in question was unlawfully sold in the year 1997 vide five sale deeds, executed after forging the revenue record.

3. Learned counsel for the petitioner submits that the original owner of the said land namely Madan Mohan Lal expired in the year 1991. However, the *vashikas* were executed in the year 1997 and consequently, the names of Surjit Kaur, Manjit Kaur, Mukhtiar Singh, Jagir Singh, Dara Singh, Ramesh



Kant and Rakesh Kant were shown as owners in the *jamabandi* for the year 2009-10. However, the Army had never transferred possession of the said land to them. In this regard, a detailed letter dated 22.03.2021/16.04.2021 (Annexure P-1) was sent by the Administrative Commandant, Ferozepur Cantonment to the Commissioner, Ferozepur requesting him to hold an inquiry as this act has compromised the security and defence of the nation. Previously as well, the petitioner had approached this Court by way of filing a petition bearing CRM-M No.64633 of 2023, wherein vide order dated 21.12.2023, the Deputy Commissioner, Ferozepur was directed to conclude inquiry within a period of 06 weeks.

4. He further contends that the executive has shown concerning indifference towards such a sensitive matter. This apathy has caused the concerned Army department to approach the Governor of Punjab vide letter dated 24.02.2024 (Annexure P-8) requesting him to address the Army's concerns as the Deputy Commissioner, Ferozepur has failed to do so. In light of the current political climate, the redressal of this grievance becomes all the more urgent.

5. Having heard the learned counsel for the petitioner and after perusing the record of the case, it appears that the Air Strip, which is being used by the Indian Armed Forces since the year 1937, has been fraudulently sold and mutations to reflect the same have been executed. In spite of multiple requests from the Army and an order dated 21.12.2023 of this Court in CRM-M No.64633 of 2023, the District Commissioner, Ferozepur has failed to take any significant steps qua the grievance raised.



CRM-M-22447-2025

-3-

6. The flabbergasting laxity displayed by the Deputy Commissioner, Ferozepur in a matter pertaining to defence of the nation is ineffable and inexcusable. It rather unfortunate that the Army, tasked with protecting the sovereignty of the nation, has been constrained to approach the Governor of Punjab, to have the matter inquired into. Such reckless behavior on part of the Deputy Commissioner, Ferozepur can cause a breach that would endanger the lives of the citizens and greatly compromise national security. While we may not be able to actively assist the soldiers, the least that can be expected of the bureaucracy is not to create unjustified hindrances for them.

7. In view of the facts and circumstances of the case, this Court finds it apposite to implead the Chief Director, Vigilance Bureau, Punjab as respondent No.6. He is further directed to personally verify the veracity of the allegations dispassionately and if required, take necessary action. Respondent No.6 is granted a period of four weeks to conclude his inquiry and submit a compliance report before this Court.

8. Disposed of, accordingly. Pending miscellaneous application(s), if any, shall also stand disposed of.

9. Registry is directed to put up this matter before this Court on 03.07.2025.

April 30, 2025
manisha

(HARPREET SINGH BRAR)
JUDGE

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| (i) | Whether speaking/reasoned : | Yes/No |
| (ii) | Whether reportable : | Yes/No |