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

**CRM-M No.28271 of 2024 (O&M)
Date of Decision: 06.02.2025**

Bhupinder Punj

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Ranjit Singh Ghuman, Advocate for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab for the respondents.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (*for short 'Cr.P.C. '*) for directing respondent Nos.2 & 3 for registration of FIR under Sections 420, 467, 468, 471 and other relevant provisions of the Indian Penal Code, 1860 at Police Station concerned on the basis of complaint dated 12.07.2021 (P-1) against the accused mentioned therein; with further prayer that investigation of the same be conducted by some senior police official, not below the rank of IPS.

(2) Brief facts of the case are that petitioner purchased one vehicle i.e. Eicher 1110, bearing registration No.PB-10-EH-2923 in 2013 and got it

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financed from M/s Cholamandlam. In 2015, aforesaid vehicle met with an accident and, thereafter, it remained parked in Workshop. Subsequently, petitioner came to know that aforesaid vehicle was taken away from Workshop by the employees of above said Finance Company and had been transferred in the name of one Gurmit Singh son of Surjit Singh despite the fact that he never signed any document *qua* the alleged transfer. Ultimately, the petitioner submitted one representation dated 12.07.2021 (P-1) to the Commissioner of Police, Ludhiana; but till date, no action has been taken. Hence, present petition.

(3) Contends that vehicle bearing registration No.PB-10-EH-2923 was financed in favour of the petitioner by M/s Cholamandlam; but the same has been sold to one Gurmit Singh (third person) by the Financer while forging certain documents and petitioner never signed it.

(4) Heard learned Counsel for the petitioner and perused the paper-book.

(5) It is not in dispute that vehicle was financed wayback in 2013 and it is also acknowledged that said vehicle met with an accident in the year 2015. It is also not in dispute that as on today, vehicle is registered in the name of third person-Gurmit Singh, who has not even been made as a party to the present petition.

(6) Apart that, para 4 of the Status Report dated 12.11.2024 of Sh. Satwinder Singh, Assistant Commissioner of Police, Industrial Area-B, Ludhiana, being relevant, is extracted as under:-

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“(i)Petitioner Bhupinder Pal, submitted an application No. UID 2089586 dated 21.07.2021 to the Commissioner of Police, Ludhiana alleging wrongful transfer of his vehicle No. PB-10-EH-2923 through forged documents.

(ii) The petitioner sought initiation of appropriate legal action against the individuals involved in the alleged fraudulent transfer.

iii) Commissioner of Police, Ludhiana marked the said application No. U.I.D. 2089586 dated 21.07.2021 to the Assistant Commissioner of Police Civil Lines for inquiry.

(iv) Acting on the instructions of the Commissioner of Police, Ludhiana, Assistant Commissioner of Police Civil Lines entrusted the inquiry to SHO Police Station Division No.5, Ludhiana.

(v) Enquiry was conducted by the SHO, Police Station Division No. 5, Ludhiana. The enquiry involved the participation of the petitioner, who provided statements, and relevant records regarding the vehicle were obtained from the RTA office in Ludhiana.

(vi) It was observed during the inquiry that the petitioner did not show sustained interest in pursuing the application. The inquiry findings did not reveal any actionable grounds that warranted further police intervention in this matter.

(vii) After a thorough review, Assistant Commissioner of Police Civil Lines concluded on 18.03.2024 that no further action was required concerning the application. The application was thereby recommended to be filed. A copy of the enquiry report is attached as Annexure R-1.....”

(7) A perusal of above extract reveals that there are serious disputed question of facts involved in the present case *“as to whether the vehicle was sold with the consent of petitioner by forging the documents or not?”*.

(8) In view of the above, this Court is not inclined to conduct a roving inquiry while exercising powers under Section 482 Cr.P.C.

(9) Consequently, there is no option, except to dismiss the petition.

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- (10) Ordered accordingly.
- (11) Needless to say that dismissal of present petition shall not debar the petitioner from taking recourse to any other remedy, available under law.
- Pending application(s), if any, shall also stand disposed off.

6th February, 2025
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>