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

CRM-M-61687-2024

Date of decision: 21.01.2025

Amarjit Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Gagandeep Jammu, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of appropriate directions to the official respondents to conduct fair and impartial investigation in the representation dated 31.07.2024 (Annexure P-5), whereby, the petitioner has sought initiation of appropriate penal proceedings against the private respondents for committing fraud with the petitioner by preparing a forged and fabricated agreement to sell to usurp and misappropriate the property of the petitioner.

Learned counsel for the petitioner contends that the petitioner is a non-resident Indian and owning a land measuring 14 kanals and 03 marlas situated at Village Mana Wala, Tehsil and District Amritsar having valuation of more than Rs.25 crores. Further, respondents No.3 & 4 were introduced to the petitioner by respondent No.5 and the said respondents had offered to buy the said land of the petitioner and in this regard, a proposal dated 22.11.2023 had been executed *inter se* between the parties, whereby, the accused persons

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offered to purchase the land of the petitioner at the rate of Rs.15,400/- per sq. Yard and petitioner had received a token money of Rs.50,000/- from private respondents. Thereafter, no formal agreement was ever entered between the parties and accordingly, the petitioner had returned the said token amount to the private respondents. It is further submitted that since the petitioner is an NRI, he returned to United Kingdom and the private respondents prepared a forged and fabricated agreement to sell dated 05.12.2023 and on the basis of the said forged and fabricated agreement, the private respondents had instituted a civil suit for specific performance. A copy of the plaint dated 08.07.2024 reveals that the private respondents had concealed the factum of execution of written proposal dated 22.11.2023 and they alleged that they had paid a sum of Rs.10 lakh as earnest money to the petitioner vide cheque No.224397 dated 02.12.2023 drawn on Yes Bank, Mall Road Branch, Amritsar. He further submits that the petitioner never entered into any agreement to sell with the private respondents and no such alleged cheque was ever handed over to the petitioner and when the petitioner received summons of the aforesaid civil suit, he came to know that a fraud has been committed by the private respondents. Thereafter, the petitioner has filed a detailed representation dated 31.07.2024 (Annexure P-5) to respondent No.2 but no action has been taken so far.

Learned counsel for the petitioner further submits that the petitioner would be satisfied in case a direction is issued to respondent No.2 to consider and decide the representation dated 31.07.2024 (Annexure P-5) submitted by the petitioner in a time bound manner.

Notice of motion to the official respondents only.

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Mr. Subhash Godara, Addl.A.G., Punjab, puts in appearance and accepts notice on behalf of the official respondents-State and copy of the petition has been supplied in the Court.

Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider and decide the representation dated 31.07.2024 (Annexure P-5) submitted by the petitioner and take appropriate steps including grant of any protection to the petitioner in view of the apprehension, if any, within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

In case, a cognizable offence is found to have been committed, respondent No.2 is directed to take necessary action forthwith in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

21.01.2025*Neha*

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