



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

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CRWP-111-2025
Date of decision: 26.08.2025

DHIRAJ MATTOO

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Ms. Jasneet Mehra, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed for seeking issuance of directions to the respondents No.1 to 3 to protect the life, liberty and property of the petitioner from the hands of private respondents No.4 to 6 on the ground that they have illegally occupied the property of the petitioner and have also threatened to eliminate him.

2. The brief factual matrix is that the petitioner claims to be the owner of property bearing Khana Sumari Old No.1822/XIV and 1823/XIV-26 and New No.5089/XIV-26 M.C.A. min, forming part of khasra No.99 to 100 min, having front towards the road measuring 26.6 feet, length 32.6 feet, back side having length of 62 feet on one side and 51 feet on the other, width

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of 30 feet from the entrance of the main gate of the petitioner, situated at Amritsar. The private respondents purchased a Plot measuring 240 square yards bearing Plot No.4, forming part of Khasra No. 228 min, Khata Khatoni No. 387/627 as per the jamabandi for the year 2016-17, situated at Village Kot Khalsa Urban, New Mohini Park, Opposite Khalsa College, Amritsar. The private respondents approached the petitioner and requested that he allow them to use his property with a license fee for a period of five years. However, thereafter, the private respondents stopped paying the license fee and also made another entrance to the building. It was alleged that the petitioner requested the respondents to pay the licensee fee and also to raise the construction that they had raised; however, on the same, they started threatening the petitioner.

3. Notice of motion was issued on 09.01.2025 and the State was directed to file a status report. The status report was filed on 28.01.2025 by way of an affidavit of Jaspal Singh, PPS, Assistant Commissioner of Police, Central, Amritsar. It has been averred as under in the said status report:-

“5. That it is submitted that during the course of enquiry qua the aforementioned representation, the Incharge Police Post Kabir Park, Police Station Islamabad, Amritsar issued notices dated 29.09.2024, 02.11.2024 and 20.12.2024 to the petitioner Dhiraj Mattoo and respondent No. 4 Jarnail Singh for joining the enquiry of the representations. Though the petitioner Dhiraj Matto was informed qua the notices and told the serving official that he would appear for recording his statement but neither the petitioner Dhiraj Matto signed the notices nor has he yet joined the enquiry qua his



representations nor has he yet produced his version in this respect. The notices are annexed herewith as Annexure R-1/T, R-2/T & R-3/T for kind perusal of this Hon'ble Court.

6. That it is submitted that as the petitioner Dhiraj Matto did not join the enquiry despite issuance of the aforementioned notice; hence the enquiry officer ASI Balwinder Singh, Incharge Police Post Kabir Park, Police Station Islamabad, Amritsar visited residential house of the petitioner Dhiraj Matto in order to join him in the enquiry so as to record his version but he was not found present at his home hence the enquiry officer contacted the petitioner Dhiraj Matto over his mobile phone number 9465008941 and asked him to join the enquiry but despite that the petitioner Dhiraj Matto did not join the enquiry. In addition to this, the enquiry officer himself met with the petitioner Dhiraj Matto personally and asked him to cooperate in enquiry of his representation but the petitioner on each occasion told him that he would bring relevant documents and fresh farad qua the property in question and then would record his statement before him but neither the petitioner Dhiraj Matto has yet joined the enquiry nor has produced any document nor has recorded his statement nor has cooperated in the enquiry thereof. Consequently, the aforementioned representations given by the petitioner Dhiraj Matto are pending. The GD No. 30 dated 18.01.2025, PS Islamabad, Amritsar recorded in this respect by ASI Balwinder Singh is annexed herewith as Annexure R-4/T for kind perusal of this Hon'ble Court.

7. That it is submitted that on the other hand the respondent No. 4-Jarnail Singh has joined the enquiry



and his statement has been recorded by the enquiry officer wherein he has stated that he has filed a case bearing No. CS/2108/24 in the Court of learned Additional Civil Judge (Senior Division) Amritsar with respect to the property in question having khana shumari 1822/XIV-26 TO 1823/XIV-26 and new no. 5089/14-26 MCA min forming part of Khasra No. 99 to 100 min with dimensions 26.6 feet from road side length 32.6 feet length from backside 62 feet and 51 feet from the other side with width 30 feet bounded as east property of defendant and main gate, west gali, north G.T. Road, South: Property of others situated at near Sakhira Tower, Opp. Khalsa College, Gali No. 1, Kot Khalsa Urban Tehsil and District Amritsar, wherein the learned Court has granted stay in his favour on 27.08.2024. the decision of the learned Court shall be acceptable to him. The statement of respondent No.4-Jarnail Singh is annexed herewith as Annexure R-5/T for kind perusal of this Hon'ble Court.

8. That it is further submitted that all the aforementioned representations bearing No. 1490-ADGP/F dated 03.09.2024, 7524-PC/COP dated 21.09.2024 and 2060-ADGP dated 28.10.2024 given by the petitioner Dhiraj Matto have further been entrusted to the Assistant Commissioner of Police, Economic Offences and Cyber Crime, Amritsar by the Commissioner of Police, Amritsar; hence the enquiry qua these representations is now being conducted by the Assistant Commissioner of Police, Economic Offences and Cyber Crime, Amritsar.

9. That it is respectfully submitted that keeping in view the totality of the facts and submissions made hereinabove, it is evident that the present petitioner



Dhiraj Matto himself did not cooperate with the enquiry officer i.e. I.C. PP Kabir Park, PS Islamabad, Amritsar in the enquiry being conducted with respect to the aforementioned representations (Annexure P/3 & P/4) given by the petitioner and neither joined the enquiry, nor recorded his statement, nor produced his version. Whereas, the respondent No. 4-Jarnail Singh joined the enquiry and produced copy of the ad-interim injunction dated 05.08.2024 granted in his favour with respect to the property in question in Civil Suit No. 2108/2024 by the Court of learned Additional Civil Judge (Senior Division), Amritsar. However, the representations (Annexure P/3 & P/4) given by the petitioner have further been entrusted to Assistant Commissioner of Police, Economic Offences and Cyber Crime, Amritsar, which are pending for enquiry and the same shall be taken to its logical conclusion in accordance with law as and when the petitioner joins the enquiry and produces his version/proof/evidence with respect to the contentions raised in his representations. Furthermore, though the petitioner has not been found to have any threat to his life and liberty from the hands of private respondents No. 4 to 6 but the Police are duty bound to protect life and liberty of every citizen and the same is being done with respect to the petitioner and the deponent has issued specific directions in this respect to SHO PS Islamabad, Amritsar.”

4. In view of the aforesaid status report that has been filed by the respondents, it is evident that not only are the civil proceedings pending amongst the parties, but also that the petitioner chose not to associate



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himself with the inquiry proceedings. The allegations of the respondents extending a threat to the petitioner have also not been established.

5. In view of the aforesaid and the uncontroverted status report, the instant petition is dismissed at this stage. The petitioner shall, however, be at liberty to take recourse to alternative remedies in accordance with law, if so advised.

AUGUST 26, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No