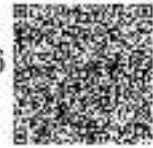


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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

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CRM-M-40046-2025 (O&M)

Date of decision: 27.01.2026

Pawandeep Singh**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Mr. Bhupinder Ghai, Advocate
for the petitioner.

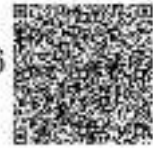
Ms. Ruchika Sabherwal, Senior DAG, Punjab.

MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (*for short 'BNSS'*) seeking quashing of order dated 06.03.2025 (Annexure P-5), passed by respondent No. 5, whereby the representation dated 25.02.2025, filed by the petitioner had been disposed of without taking action thereupon.

2. Learned counsel for the petitioner has submitted that he is a businessman engaged in pesticide trading at Bathinda, Punjab. During his business visits to Jaipur and Sikar, he came in contact with respondent no. 10, a property dealer, who induced the petitioner to purchase and invest in property at Sikar. Acting upon such inducement, the petitioner finalized a property valued at Rs. 2,50,00,000/- and paid Rs. 5,00,000/- as token money at Bathinda, and thereafter an agreement to sell was executed at Sub-Tehsil Palsana, District Sikar, between respondents no. 7 to 9 and the petitioner's

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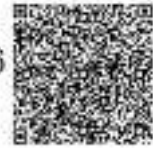


father Jasvir Singh along with Labh Singh, pursuant to which Rs. 50,00,000/- was paid on 03.03.2021. Respondents no. 7 to 9 represented that the property was under loan and assured clearance and issuance of NOC. But despite extension of time till 20.12.2021, neither the loan was cleared nor NOC obtained, instead, a survey showing a proposed road through the property was disclosed. On further inducement, the petitioner paid Rs. 15,00,000/- to respondent no. 10 for getting the road shifted and Rs. 20,00,000/- to respondents no. 7 to 9 for loan clearance, yet neither the loan was cleared nor the road issue was resolved, clearly establishing dishonest intention since inception. The petitioner made repeated representations to the official respondents, one of which was decided on 29.11.2024 by respondent no. 6, acknowledging receipt of Rs. 90,00,000/- by the accused and observing that the transactions and property were situated in Rajasthan, advising the petitioner to approach the Court. Despite directions of respondent no. 3 to decide the fresh representation on merits after hearing both parties within a stipulated time, respondent no. 5 passed the impugned order dated 06.03.2025 without conducting any proper inquiry on the aforementioned representation of the petitioner. Hence, it is urged that appropriate direction be issued to the official respondents to take legal action against the said respondents.

3. Notice of motion.

4. Learned State counsel, who has advance notice of the petition and is ready to argue the matter, has submitted that after receipt of representations/complaints from the petitioner, the same were duly inquired into. However, finding no substance in the allegations levelled by the

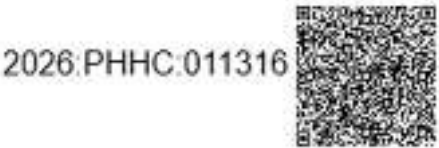
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petitioner, the same were disposed of. No case has been made out to issue any direction to the official respondents. It is, thus, urged that the petition is liable to be dismissed.

5. This Court has heard the rival submissions.

6. The dispute raised by the petitioner is mainly of a private and commercial nature relating to a property transaction in Rajasthan. The authorities have already looked into the representations/complaints of the petitioner and, after due consideration, found no ground to take further action. The prayer of the petitioner for issuing directions to the official respondents for registering an FIR against the private respondents cannot be entertained as the remedy for a person having grievance that his FIR has not been registered by the police or the same having been registered, proper investigation is not being done, is not to approach the High Court but to go to the Magistrate concerned under Section 175 (3) of BNSS. Reference in this regard can be made to ***Sakiri Vasu v. State of U.P., (2008) 2 SCC 409***. Reliance can further be placed upon ***Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage and others, (2016) 6 SCC 277***, wherein it was observed by Hon'ble Supreme Court that if the FIR is not being registered or proper investigation is not being done by the police then the remedy for the aggrieved person is not to go to High Court but to approach the Magistrate concerned under Section 156 (3) of Cr.P.C. *[which is pari materi with Section 175(3) of BNSS]* as it is the Magistrate who can give direction for registration of FIR and even to conduct proper investigation to be done.



7. In view of the above position, the present petition is devoid of any merit and the same is hereby dismissed, without having any prejudice to the right of the petitioner.

27.01.2026
Waseem Ansari

(MANISHA BATRA)
JUDGE

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