



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

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CRM-M-51281-2025
Date of decision: 15.01.2026

SANJAY SHARMA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present: - None for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed seeking directions to respondents No.2 to take action against respondent No.4 for filing false and fabricated complaints against the petitioner and further to take appropriate action on the complaint dated 25.07.2025 given by the petitioner to the Superintendent of Police, Karnal.

2. The matter came up for hearing on 15.09.2025 when the matter was adjourned on the request of the petitioner to remove the objections raised by the Registry of this Court. The matter was adjourned to 04.11.2025, however, on the said date, Counsel for the petitioner circulated an adjournment slip. The matter was thus adjourned for today. No one has chosen to appear on behalf of the petitioner today as well despite the case

having been called twice. There is no further reason to await presence of the Counsel for the petitioner, hence, the matter is being decided on merits.

3. As per the contentions raised in the petition, the petitioner is involved in poultry feed business in Safidon. The respondent lived in the house of the petitioner on rent for about 12 years till the year 2021, hence, they had financial transactions between them. Both of them had invested money in a company FXIF, Riwari. Eventually, on account of fraud, a case FIR No. 159 dated 05.07.2024 was got registered by the respondents at Police Station, Panipat for offences under Section 420, 120-B IPC against the said company.

4. The respondent-Rajesh Kumar is stated to be friend of Subhash (a tenant of the petitioner herein) and Subhash is stated to have transferred a sum of Rs. 9,64,000/- from the account of Rajesh Kumar-respondent to the account of petitioner herein qua which Rajesh Kumar and Subhash alone were aware.

5. It is averred that respondent No.4 moved a complaint dated 10.02.2025 to the Superintendent of Police, Karnal to the effect that Subhash and Sanjay had met amongst certain occasions and informed that they are doing business of sending people abroad. It was alleged by respondent No.4 that being allured by their assurances, he agreed to pay a sum of Rs. 32 lakhs as against the demand of Rs. 35 lakhs. The respondent No.4 was informed that first he shall be sent to Dubai, thereafter to Malaysia and then to America and that the expenses for the same have to be separately borne. The respondent No.4 was accordingly sent to Dubai on 24.07.2023 but he returned on 22.08.2023. Thereafter, some more money was transferred. In the said background, a complaint was submitted by respondent No.4 against

petitioner herein on 02.06.2025. The same was investigated by the Economic Cell, Karnal on 02.07.2025 and a report was submitted that nothing incriminating was found against the petitioner. A subsequent complaint was filed again on 18.07.2025 to the Superintendent of Police, Karnal. Again, nothing incriminating was found against the petitioner. The petitioner hence moved an application dated 25.07.2025 to the effect that action be taken against respondent No.4 for harassing the petitioner by giving complaints again and again but no action has been taken, hence, the present petition has been filed.

6. I have gone through the documents appended alongwith the present petition.

7. Merely because the Police does not find making out of a cognizable offence or sufficient evidence to proceed further would not be the same thing as submission of a false complaint.

8. Besides, the petitioner has an efficacious remedy.

9. There is thus no occasion for issuance of any direction to the respondent No.2 for taking action against respondent No.4 on the said complaints by ruling that the complaints are false. I do not find such compelling circumstances to exist in the present case.

10. The present petition is accordingly dismissed at this stage with liberty to the petitioner to take recourse to the alternative remedies.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 15, 2026
Vishal Sharma

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