



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

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**CRM-M-56080-2025
Date of decision: 15.01.2026**

KAMARPAL SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - None of the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for seeking directions to array respondent No.4 as an accused in FIR No. 107 dated 02.08.2025 registered under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 at Police Station Dehlon, District Ludhiana and to thereafter file a challan against the said respondents.

2. It is evident that the matter has already been listed on three occasions, however, on all the said three occasions, the matter has been adjourned either on the request of the Counsel for the petitioner or owing to non-appearance on behalf of the petitioner. Today also, no one has chosen to appear. There is no reason to adjourned the matter any further, hence, the controversy is being examined on merits.

3. Briefly summarized, the facts of the present case are that the petitioner claims to be the owner of SCO No. 21 situated at Village Rania, Hadbast No. 266 in Abadi Delta City, Tehsil & District Ludhiana, the said property having been registered in his name vide Transfer Deed bearing Vasika No. 7650 dated 22.09.2023. It is averred that respondents No. 4 to 6 approached the petitioner with a proposal to take the property on rent @ Rs. 90,000/- per month for the first three months with an assurance that the rent would thereafter be enhanced to Rs. 1,35,000/-. A lock in period of 09 years was also offered by the respondents. The respondents No.4 to 6 further said that they would get the lease deed executed with respect to the property in favour of a reputed eating joint namely M/s Mr. Shwama. Being allured by the assurances given by respondents No.4 to 6, an amount of Rs. 45,00,000/- was transferred by the petitioner, from his account and in the presence of marginal witnesses. It later transpired that the petitioner had been cheated and there was a breach of trust by the respondents.

4. Accordingly, a complaint was filed before the Local Police, Ludhiana whereupon FIR No. 107 dated 02.08.2025 was registered. It is averred that the police has failed to array respondent No.4 as an accused notwithstanding that the said respondent had received the aforesaid amount in cash and that his participation in the offence cannot be any lesser than that of the other respondents.

5. Having gone through the documents appended alongwith the present petition, I am of the opinion that the direction as sought for cannot be granted at this stage. The law mandates complete autonomy to the investigating agency to look into the alleged offences and thereafter to draw conclusion on the basis of the evidence collected during the course of

investigation. In the event, the petitioner is dissatisfied with the outcome of the investigation, the remedy available to the petitioner would be to move an appropriate application before the Illaqa Magistrate as and when a final report is filed or to seek summoning of the persons against whom allegations are levelled, at an appropriate stage in accordance with law. A micromanagement or steering of investigation by way of a petition under Section 528 of BNSS, 2023 cannot be carried out.

6. Consequently, finding the prayer to be misconceived, the instant petition is dismissed.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 15, 2026
Vishal Sharma

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