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

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**CRM-M-19590-2026
Decided on:20.04.2026**

Sukhraj Kaur and another**.....Petitioners****Versus****State of Punjab and others****.....Respondents****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Vaibhav Sehgal, Advocate
Ms. Shravya Doomra, Advocate
Mr. Umesh Dhariwal, Advocate for the petitioners.

Mr. Manjinder Singh Bhullar, DAG, Punjab.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 528 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 Cr.P.C., 1973) seeking issuance of directions to respondents No. 2 to 3 to ensure that no enquiry is conducted by respondent No. 5, i.e. ADCP (Headquarters), Ludhiana, in complaint bearing UID No. 766390 dated 06.03.2026 (Annexure P-10).

2. Learned counsel for the petitioner contends that, as per the allegations in the complaint, a fresh complaint has been moved wherein it is alleged that an agreement to sell dated 26.03.2019 was executed, recording therein the proposed execution of a sale deed with respect to the property in question on 04.04.2019. Since no such sale ultimately took place, FIR No. 121 dated 24.05.2019 was registered at the instance of respondent No.6-Onkar Singh Pahwa against the petitioners under Sections 420 and 120-B IPC (corresponding to Sections 318(4) and 61(2)

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of the BNS, 2023) at Police Station Sahnewal, Police Commissionerate, Ludhiana.

3. It is further submitted that upon completion of investigation, final report was presented on 24.12.2019, and charges were framed on 30.04.2022. Referring to the zimni orders (Annexure P-9 colly), learned counsel contends that despite several opportunities having been granted, the complainant has failed to appear and get his statement recorded. It is further pointed out that instead of pursuing the trial, complainant has now filed another application/complaint dated 27.02.2026 (Annexure P-10), addressed to the Commissioner of Police, Ludhiana, raising the same set of allegations. The said complaint, without due examination, has been forwarded to the ADCP (Headquarters) for report.

4. Mr. Vaibhav Sehgal, learned counsel further submits that in the fresh complaint, complainant has merely added one additional allegation that the mutation on the basis of the agreement to sell dated 26.03.2019 was entered in favour of the petitioners; however, said mutation pertained only to an area measuring 500 sq. yards. It is further submitted that in respect of the remaining land, no mutation was ever entered in favour of the petitioners. However, there is no challenge to the sale deeds through which the petitioners had purchased the property, and the said sale deeds remain valid and subsisting.

5. It is contended that the complainant ought to be restrained from repeatedly filing such complaints, as the same are barred by law and amount to abuse of the process of law. It is further submitted that no such



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freshly moved complaint ought to be entertained or forwarded for inquiry or investigation, as the same is causing unnecessary harassment to the petitioners. Reliance is also placed on the settled law laid down by the Hon'ble Supreme Court in *T.T. Antony v. State of Kerala*, wherein it has been held that prior permission of the Court is required before initiating any fresh or further investigation in respect of the same transaction.

6. I have heard learned counsel for the petitioner and perused the petition.

7. At this stage, this Court is of the view that neither any fresh cause of action has accrued to the petitioner nor any material has been brought on record by the investigating agency indicating that any fresh or further investigation has been commenced. It is an admitted position that, on the basis of the challan already presented by the State, charges have been framed and the trial is pending for recording of evidence. In these circumstances, this Court does not find any merit in the present petition, and the same is accordingly dismissed for want of cause of action.

(SANJAY VASHISTH)
JUDGE

April 20, 2026

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Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO