

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

**CRM-M-7964-2024**

**KULDEEPAK MITTAL**

**.....PETITIONER**

**VERSUS**

**STATE OF PUNJAB AND OTHERS**

**.....RESPONDENTS**

Present: Mr. R.K. Jaswal, Advocate  
for the petitioner.

Mr. ADS Sukhija, Addl. A.G., Punjab.

Mr. Bipan Ghai, Sr. Advocate with  
Mr. Nikhil Ghai and Mr. P.S. Bindra, Advocate  
for respondent No.4.

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1. In compliance to the order dated 19.09.2024, respondent No.4-  
Jarnail Singh Bajwa has been produced in Court in person by the State.

2. On a query being put by this Court, respondent No.4 he has  
accepted his version and today again repeated that on 28.08.2024 when he  
was noticed by this Court monitoring the proceedings through video  
conferencing mode and was communicated to join the proceedings, he has  
stated that he was not actually aware of the Court orders qua his appearance  
as was directed vide orders dated 02.08.2024, 05.08.2024, 13.08.2024 and  
22.08.2024.

3. Though the said fact was not recorded in the order dated  
28.08.2024 in the light of the pleadings made at that stage by respondent  
No.4 who was represented by Mr. P.S. Hundal, Senior Advocate on that date.  
Subsequently there is yet another change of counsel representing him and a

reply to the show cause notice has been filed today on his behalf. The same is taken on record. Copy thereof has been supplied to the counsel opposite.

4. Affidavit of Deepak Pareek, IPS, Senior Superintendent of Police, District SAS Nagar, Punjab has been filed on behalf of respondents No.1 to 3, which is taken on record. Copy of the same has been supplied to the opposite counsel.

5. A perusal of the same depicts that a time frame report has been furnished qua the investigation to be completed in 20 FIRs registered in District SAS Nagar alone whereas 16 FIRs registered at Police Station NRI, SAS Nagar against respondent No.4. Another FIR is registered with Police Station Singh Bhagwantpura, Rupnagar i.e. FIR No.14, dated 06.04.2019, under Sections 406, 420, 365, 382, 506, 34 IPC and Sections 25 & 27 of Arms Act. In this case also, status reflects that he has not been arrested till date despite lapse of 5 years. In yet on more FIR No.28, dated 17.07.2019, Police Station State Crime BOI, SAS Nagar against respondent No.4 is pending investigation in which also arrest is pending for the last 5 years. In total five such cases came to light where arrest of respondent No.4 is yet to be effected.

6. This Court is amazed to see shocking approach of law enforcing agency as one FIR No.328 with Police Station Kharar, dated 02.10.2008 is also pending investigation without his arrest i.e. more than 16 years by now for offences under Sections 323, 452, 506, 148, 149 and 120-B IPC. Apart from that in FIR No. 87, dated 25.07.2017 and FIR No. 178, dated 18.08.2017 with Police Station City Kharar, his arrest is awaited for seven years.

7. Mr. Bipan Ghai, learned Senior Advocate for respondent No.4 though refers to the details of property attached by way of an affidavit but this Court noticed the same to be incomplete since most of the properties do not have identity of same with specification and measurement. The moveable assets have been found to be including 9 luxury cars of which registration numbers have not been mentioned and Rs.10,00,000/- has been shown as cash in hand. The respondent No.4 has not furnished complete details of moveable assets which by all means should include bank account details alongwith fixed deposits policies etc. wherein, he might have invested money earned after duping hundreds of home seekers. To this query Mr. Ghai prays for some time, who assured this Court that on the next date of hearing all other left out information will be filed before this Court.

8. At this stage learned counsel for the petitioner submits that though an application has been filed in the Registry giving details of complaint cases pending against respondent No.4 before different Courts but the same has not been listed. Registry is directed to attach the said application, the diary number of which is 10303765, 10303764, 10303761 with the case file for the next date of hearing subject to removal of objections if any raised in that application.

9. On the issue of show cause notice for contempt, reply has been filed by respondent No.4 dated 20.09.2024, a copy of which has been furnished to the counsel for the petitioner as well. Consideration of the same is deferred to the next date of hearing.

10. Keeping in view the gravity and sensitivity involved in the petition, respondent No.4 who is present in person is directed not to transfer,

sell, dispose of, any of the properties detailed in the affidavit dated 20.09.2024 filed today in Court, till further orders.

11. The trial Court/Illaqa Magistrate is directed to facilitate attestation of such affidavit/reply, if any, so required to be signed and attested by respondent No.4 for the next date of hearing, as has been requested by Mr. Ghai.

12. Personal appearance of respondent No.4 is exempted till further orders.

13. Part heard for 25.09.2024.

14. To be taken up at 2:00 p.m.

**20.09.2024**  
*Poonam Negi*

**(SANDEEP MOUDGIL)**  
**JUDGE**