

IN THE COURT OF MS. RINKY AGNIHOTRI LEARNED ILAQA  
MAGISTRATE, HOSHIARPUR.

Onkar Singh aged about 73 year S/o Hari Singh  
resident of Village Dadyal, Saila Khurd District  
Hoshiarpur presently residing in England (U.K),  
Trustee of Bhagat Hari Singh Charitable Trust,  
village Dadyal, Saila Khurd, Banga Road, Hoshiarpur  
through his attorney Sh. Deepak Chowdry S/o Prem Dass  
P/o Shalimar Nagar, District Hoshiarpur

25/7/23  
...Complainant

Versus/

1. Deepinder Singh S/o Guljit Singh
2. Satvir Singh S/o Gulit Singh both are residents of  
House no. 751/2, Mohalla Kamalpur, District  
Hoshiarpur, Proprietors/Partners of Nayyar Traders  
and Nayyar Medical, Street No.1, Mohalla New Tagore  
Nagar, Hoshiarpur

.....Accused

3. NRI Wing, Hoshiarpur through S.H.O NRI Police  
Station, Hoshiarpur.

.....Respondent



Application under section 156(3)Cr.P.C for forwarding the accompanying complaint to the S.H.O of Police Station N.R.I Hoshiarpur for the registration of an FIR under section 420,406, 465,468, 506, 120-B and 34 Indian Penal code and investigation of the case.

Sir,

It is respectfully submits as under:

1. That the above titled complaint is being filed by the complainant through his lawful attorney in this Hon'ble court today. The complainant is residing in England (U.K) and trustee of Bhagat Hari Singh Charitable Trust, Village Dadyal, Saila Khurd, Hoshiarpur.
2. That the accused persons are used to supply medicines to the charitable Hospital of the complainant since long time and the accused persons are practicing themselves as Medical Representatives therefore the trust members trusted them.
3. That in the month of November 2020, complainant asked the accused no.2 if he knew any building contractors, who said that he himself is a building contractor. After studying the couple of quotations, the trustees decided to allocate the work to accused no.1 and 2. The accused stated to the complainant that the whole construction work shall be furnished with best quality material and the whole construction work



shall be completed at the fastest speed. They also stated to the complainant that there is no any separate branch of our company and we are not going to sublet work to anyone else and we ourselves shall be responsible for overall work and they shall send the video clips and photographs of the work progress in daily routine to the complainant. They also stated that the cost for one flat shall be Rs.25,70,000/- (Twenty Five Lacs seventy thousand). The accused no.1 demanded advance payment for the flats and the complainant transfer Rs.5,00,000/- (Five Lac) through their SBI bank account No.35837134875 of Bhagat Hari Singh Charitable Memorial Trust to the accused persons account M/s. Nayyar Medicine Traders, Hoshiarpur on dated 26-11-2020. After this, accused no.1 demanded more money i.e. Rs. 10 lac from the complainant for linter work and the complainant transferred the total amount of Rs. 48,40,000/- (Forty Eight Lac forty thousands) to the accused persons on different dates through their SBI bank account No. 35837134875 of Bhagat Hari Singh Charitable Memorial Trust. Copy of quotation for flats submitted by the accused and Bank statement are attached herewith.

4. That after some time when the accused no.2 Sathir Singh came to know that another building at the back of the Hospital, adjacent to the tubewell was to be



repaired and converted to a school for nearby area/ villages girls for free education. He convinced the complainant Onkar Singh and other trustees that they should be given the above said project to him. He said to the other trust members that he has talked with Complainant and have taken the consent from them to start the work of back-side tube well building and now they are starting work from today i.e. w.e.f. 22-01-2021. The complainant given Rs. 30,00,000/- (Thirty Lac) to the accused No. 1 & 2 for school building on different dates through their SBI bank account No.35837134875 of Bhagat Hari Singh Charitable Memorial Trust. **Copy of bank statement is enclosed herewith.**

5. That in the month of March 2021, when complainant came to know that the land measuring 5 Kanal 0 Marla, opposite to their charitable Hospital is being sold, the complainant and other trustees decided to buy the said land opposite of their aforementioned charitable Hospital. When accused no.1 and 2 came to know about this, they told to the complainant over the phone that they knows the land owner personally and they will get the said land deal done in the favor of trust at a very low price. They both were supplying medicines to the charitable hospital of the complainant for a long time, so they trusted and



faith on them and asked them to get the land deal done. Then they told to the complainant that all of you are living in abroad, so the land registry cannot be done directly in your favor therefore they will first get the land registered in their own name and thereafter they will transfer the title of the above said land in favor of the trust of the complainant. Both of accused assured the complainant that they should trust the accused who will give everything in writing. The accused persons gave it all to the complainant in writing on 7<sup>th</sup> March 2021 on the letterhead of their firms namely "**M/s. Nayyar Traders**" and signed it with fraudulent and dishonest intention to deceive, cheat and defraud the complainant with criminal intent. The said firm is run by them and is in the name of both of them. After this, on being repeatedly assured by both of them, the complainant fell for the sweet talks of these two criminals and trusted them and entrusted the money to the accused persons. Therefore, the complainant transferred the entire consideration amount of land purchase said by the accused persons i.e. Rs. 58,00,000/- (Fifty Eight Lac) and 10% Tax to the accused persons from their SBI bank account No. 35837134875 of Bhagat Hari Singh Charitable Memorial Trust to the accused persons account no.004100000963



of Capital Local Area Bank, Hoshiarpur of M/s. Nayyar Traders by online transaction. Soon after taking the money both of accused had linger on the matter by one pretext to other by saying that, the work is stopped in all the offices due to Covid and Registrar were not working. While the registration work started in entire Punjab and on repeated asking of the complainant they stopped picking up phone calls of the complainant and avoided to pick their calls. Not only this, whenever they picked calls, they used very filthy and vulgar language against the complainant and threatened them for dire consequences once the complainant asked to return the money grabbed by both of the accused persons. They have embezzled about Rs. 1,36,40,000/- (One Crore Thirty six Lac Forty thousand) from the complainant's charitable trust. Copy of Firm's Letterhead, Bank Statement and WhatsApp chat is enclosed herewith.

6. That in August 2021, the accused no. 1 & 2 were informed that Complainant is visiting the Hospitals in October and could he please finish the flats work but in October when the complainant visited the flats it was unfinished. The complainant had to find other accommodation to live for four weeks and the accused no.1 and 2 made no effort to improve the situation and till date they have done no work. They



have done only half of the work. In November 2021, when the complainant visited the Hospital they called the architect to value the work he has done. According to the architect report the accused done only half of the work out of the work allotted to them. They have built the roof with no ceiling, no electricity, no water, no toilet, no bathroom, no kitchen, no floor and no doors. The said building was designed for village girl's school but the complainant has not been able to open the school till date for village girls for their free education. The accused persons have cheated the complainant on every way they could. The window frames and other material like bricks etc.were originally on the old building. The photographs of work and copy of the architect report is enclosed herewith.

7. That the complainant want to bring this fact to the notice of this Hon'ble Court that both accused no.1 and 2 are professional and habitual thugs. The complainant have come to know that in similar manner they have also usurped/grabbed sum of Rs.10,50,000/- from a person namely Anuj Sood R/o Mall Road, Hoshiarpur. The said Anuj Sood had filed the complaint under section 138 of N.I.Act before the court of Ms. Jasleen Narang, Ld. JMJC, Hoshiarpur against the accused No. 1 & 2 and later-on the



accused persons compromised with the Anuj Sood and returned his money which was usurped by them. **The copy of court orders with this respect is annexed.**

8. That it is worth mention here that the license of Accused No. 1 Deepinder Singh practicing as an advocate (**License No.P-2227/2016**) issued by Bar council of Punjab & Haryana has also been suspended/ cancelled by the Bar Council of Punjab & Haryana Chandigarh in the year 2020-2021 because he was found guilty on charges of misappropriating, personating, duping and extorting money from innocent people and cheated them through illegal and unfair means. The accused persons impersonating Sh. Harbhajan Singh (Municipal Councilor) by utilized his land documents and other identity cards for the purpose of giving surety in the court and for this he is not aware at all. The accused persons have also defrauded the court by putting fake documents of Harbhajan Singh in the court without informing him. **Copy of the order of Bar council Disciplinary committee is attached herewith.**

9. That the accused no.1 and 2 under a pre-planned manner and conspiracy in connivance of each other usurped the hard earned money of the complainant. When the complainant demanded to return the money of the trust, they started giving death threats. Both



accused are very head strong persons and they have a lot of Political support and they both are associated with the gangsters. Even in U.K, they threatened the complainant by calling them from an unknown phone numbers that if the complainant or their family members will come to India, they will eliminate the complainant. Because of all this the complainant is very much scared and living in an atmosphere of panic and fear. Due to the fear of accused no.1 and 2 the complainant is unable to come to his home in India.

10. That after realizing that they have been cheated, the complainant moved an online complaint to the NRI Police station at Hoshiarpur bearing UID no. 2193618 against the accused persons and the inquiry was handed over to DSP N.R.I Police, Jalandhar and the attorney holder of complainant duly appeared in the said inquiry. In fact the said inquiry was nothing but an eye wash to give clean chit to the accused person. On every hearing in the aforementioned inquiry the inquiry officer done nothing except to pressurize the attorney of the complainant and threatening him to withdraw the matter or compromise the matter and he was treated like an accused and was not even allow to raise hue and cries. The inquiry officer was hell bent to give all favor to the accused persons for extraneous considerations. Finding no justice at the



hands of aforementioned inquiry officer the attorney holder of the complainant also appeared before the higher police official i.e. A.I.G, NRI, Jalandhar with the request and personally apprised him regarding the act and conduct of the inquiry officer. Even in this respect a written request was also made before the A.I.G, NRI, Jalandhar for the transfer of the inquiry. However nothing was done and very surprisingly he was informed by the concerned office that the inquiry has already been finalized by the aforementioned inquiry officer and now he has come to know that the inquiry is finalized against the complainant and under very mysterious circumstances the accused persons has been given clean chit. **Copy of complaint is attached herewith.**

11. That in fact the police and especially the said inquiry officer are acting as per the terms of the accused No. 1 & 2 and under the influence of the accused he has done the inquiry. The accused No. 1 & 2 are men of means and having lots of political links and since beginning up to the end the inquiry has been conducted just to please the political bosses and the accused No. 1 & 2 for extraneous reasons. The facts of connivance of inquiry officer with the accused No. 1 & 2 can be unearthed and if the call details of the inquiry officer are examined it will



prove that he had done the said inquiry as per the directions of the accused No. 1 & 2.

12. That the accused No. 1 & 2 has now been more aggressive towards the complainant due to the clean chit given by the investigating agency and they are threatening the complainant on daily routine basis and openly saying that they have approach in the police through their political links and the police agencies are in their pockets and they would teach lesson to the complainant as and when they would find opportunity and threatening the attorney holder of the complainant and their counsels also in a routine basis by the bouncers of the accused No. 1 & 2 who are used to hooting behind the attorney of complainant and the police is acting as per the terms of the accused No. 1 & 2 and therefore the complainant, their attorney and also their counsels have apprehension to danger her life and liberty from the accused No. 1 & 2.

13. That the accused No. 1 & 2 are openly saying that they will not return the money and threatened the complainant to do whatever they can and also abused them using vulgarity. The accused No. 1 & 2 also threatened by saying that the police have been bribed and is with us and there is nothing you can do about it.



14. That the accused no.1 to 2 has a lot of Political support due to which the Police doesn't listen and corporate with the complainant and in fact they mis-behave and threatened the complainant too. The police also got the signature of complainant on blank papers. The complainant have also come to know that the accused persons are habitual cheaters and other similar cases are also registered against them and also so many complaints are pending before the SSP police. Photocopy of FIR no. 233, dated 10/07/2019 lodged against accused no. 1 and 2 is attached herewith.

15. That the accused no.1 and 2 have been doing this with a number of people and have been bribing the police with a good amount of money and due to this police have failed to serve their responsibility.

16. The accused no. 1 and 2 fools the people with manipulating and forging documents. To prove the above said facts a Photocopy of forged star associated slips which are forged and fabricated by the accused persons are attached herewith.

17. That the accused no. 1 and 2 have cheated the complainant have committed the crime under various sections of Indian Penal Code by mis-representing and thereafter duping the complainant of a sum of Rs. 1,36,40,000/- The accused no. 1 and 2 have committed



offences under section 420,406 and showed and prepared a forged and fabricated slips and letterhead they have committed offence under section 465,468 IPC and threatened the complainant, thus committed 506 IPC read with section 120-B of the Indian Penal Code, 1860. Therefore, strict legal action is required to be taken to against accused no. 1 & 2.

18. That due to high links, money Power all the accused no. 1 & 2 have influenced the police who has not taken any action against the accused persons.

19. That the cause of action arose to complainant on account of failure of the police in registering of the FIR against the accused no. 1 and 2. The present complaint is being filed by the complainant for registration of the FIR against the accused no.1 & 2.

20. That the Complaint is well within the Jurisdiction of this Hon'ble court and this Hon'ble court has power to entertain the above said complaint.

21. That the requisite fee is attached herewith.

It is, therefore, prayed that present application may be accepted and accompanying complaint may be forwarded to the S.H.O. of Police Station N.R.I for the registration of an FIR and investigation of the case in exercise the powers under section 156(3) of Cr.P.C and tried for the

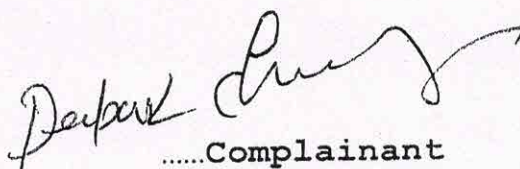


above said offences accordance with law, in the interest of justice.

It is, further be pleased to pass order of adequate compensation U/s 357 and cost of litigation U/s 359 of Cr.P.C against the accused and in favor of complainant.

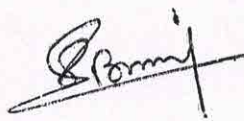
It is, further prayed that pass such other order that the Hon'ble court may think fit and proper, in the interest of justice.

Submitted by

  
.....Complainant  
through attorney

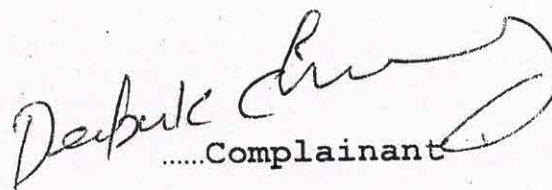
Deepak Chowdry S/o Prem Dass

THROUGH COUNSEL

  
S.S. BHARDWAJ, MS. PREETI, DEEPAK & MS. ANAMIKA

**Verification:-** Verified that the contents of my application from para no. 1 to 21 are correct and true and nothing has been concealed therein.  
Verified at Hoshiarpur

On:- 20-02-2023.

  
.....Complainant