

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

C.O.C.P. No.2048 of 2014 (O&M)
DATE OF DECISION : 10.8.2015

Tekchand Sharma alias Tikaram

PETITIONER

VERSUS

Rakesh Kumar Arya (IPS)

RESPONDENT

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

1. Whether reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present:- Shri R.S.Panghal, Advocate for the petitioner.

Shri D.K.Mittal, D.A.G. Haryana.

MAHESH GROVER, J.

The petitioner alleges violation of the order 20.1.2014 passed by this Court mandating the respondent to look into his grievance as contained in the representation and take a decision thereon.

Reply has been filed by the respondents wherein it has been stated in paras 3 and 4 as under :-

“3. That the D.S.P. Hodal after enquiring into the matter

submitted his report dated 11.3.2014. It was submitted that the petitioner and his brothers have dispute regarding their joint agricultural land and civil and revenue litigations are pending in respect of their land in various courts. This matter had been enquired by the then D.S.P. Hodal, and proceedings under Section 107/151 Cr.P.C. as per D.D.R. No.29 dated 30.10.2013 has been carried out against both the parties in P.S. Hassanpur. The petitioner is son of Shri Net Ram Caste Brahman r/o Village Khambi at present resides at H.No.71, Ganesh Nagar, Shakkar Pur, Delhi and his three brothers namely Ram Babu, Raghu Nandan and Ram Kumar also sons of Shri Net Ram are residing in Village Khambi. The petitioner is an advocate by profession while Raghunandan etc. are farmers. These brothers have dispute regarding partition of land. Whenever the petitioner and other persons of the opposite party used to visit the fields, they use to start quarrel with each other. There were serious apprehensions of breach of peace. Applications levelling allegations on each other have been received from both sides. Inquiry upon these applications was conducted. In order to maintain peace and tranquility in the village, proceedings u/s 107/151 Cr.P.C. were carried out against the petitioner on one side and three people namely Raghunanda, Ramkumar (brothers of petitioner) and Shobha Ram son of Raghunandan (nephew of petitioner) on the other side. The petitioner and co-accused were also bound down to maintain peace, and a surety bond of Rs.20,000/- was taken from the petitioner and others by the

SDM, Hodal vide his order dated 31.11.2013. Whereas action under Section 107/151 Cr.P.C. was also taken against six persons of the other party through the same DDR No.29 dated 30.10.2013.

4. That the petitioner has also licenced DBBL gun in his name and the said arm in question was also got deposited in the police station as a preventive measure. The competent authority to release the weapon was Sub Divisional Magistrate, Hodal and the petitioner for the first time made an application on 26.2.2015 and the Sub Divisional Magistrate, Hodal ordered to release the weapon vide his order dated 17.3.2015. After receipt of the order of the Sub Divisional Magistrate, Hodal, the weapon of the petitioner was released. It was the petitioner who had to approach the Sub Divisional Magistrate, Hodal for release of the weapon.”

In view of the above, I am of the considered view that grievance of the petitioner has been redressed and the petition is therefore, disposed of as infructuous leaving the petitioner to his remedies under the law. In case the petitioner applies for a copy of the proceedings, the respondent will be duty bound to provide the same to the petitioner.

August 10, 2015
GD

(MAHESH GROVER)
JUDGE