

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-34175 of 2015

Date of Decision: October 6, 2015

Pargat Singh

.....Petitioner

Vs.

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.Varun Baanth, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

The petitioner has got property dispute with his mother and brothers as is indicated from the copy of the plaint annexure P-6, wherein the petitioner had sought a declaration and injunction regarding 17 marlas of land mentioned in the heading of the plaint.

Through instant petition under Section 482 Cr.P.C., the petitioner seeks a direction for registration of FIR on the basis of complaint annexure P-7 submitted by the petitioner to the Commissioner of Police, Ludhiana. Petitioner has levelled allegations in complainant annexure P-7

that his brother Gurjit Singh had taken out his revolver and pointed it towards him and that they had escaped from the spot.

I have considered the facts and circumstances of the case. The petitioner had filed a civil suit annexure P-6 on July 1, 2017 and the incident referred to in annexure P-7 is stated to be of July 9, 2015. Since it is not a case of any injury and there are vague allegations of assault, I do not find any ground to issue any directions to the police authorities. In case of any imminent threat to the life and liberty of the petitioner, it will be open to him to file a detailed representation to Commissioner of Police, Ludhiana.

Counsel for the petitioner submits that the brothers of the petitioner in connivance with the police are taking steps to evict the tenants of the petitioner. He has sought protection in that contest.

I have considered the said contention and I am of the opinion that the petitioner has already filed a suit against his mother for declaration and injunction. In case the petitioner apprehends any prejudice to his civil rights regarding any property, it will be open to him to approach the Civil Court of competent jurisdiction and seek injunction in accordance with law.

Avoiding intervention in family dispute regarding property, this petition is dismissed without prejudice to the rights of the petitioner to avail any other legal remedy, in accordance with law.

October 6, 2015
sanjay

(M.M.S.BEDI)
JUDGE