

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

CRM-A No.1104-MA of 2016 (O&M)
Date of decision: 09.08.2016

Sanjiv Gupta

.... Applicant

versus

Sushil Kumar & ors.

.... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Ramesh Sharma, Advocate
for the applicant.

Ajay Tewari, J.(Oral)

CRM No.18806 of 2016

This is an application for condonation of delay of 21 days in filing the present application.

For the reasons mentioned in the application, delay of 21 days in filing the application is condoned.

CRM stands disposed of.

CRM-A No.1104-MA of 2016

This application has been filed against the acquittal of the accused persons in a complaint case registered under Sections 447, 448, 380 and 120-B IPC.

The allegations made by the complainant were that his maternal grandmother had handed over a piece of land measuring 170 sq. yard to his father (her son-in-law in 1954) and in 1959, the father of the complainant-applicant constructed a house and lived there till the year 2000 when they built a new house at Kharar and shifted there. The respondents, who are the maternal uncle and cousins of the complainant illegally demolished the said house and took away the articles of the complainant and his father, who were

living there.

The trial Court found that the house was never owned by grandmother but belonged to the maternal uncle of the complainant and the respondents were in the possession thereof since the year 2009 when the complainant admittedly shifted to Kharar and there was no evidence regarding the fact that the land was ever given to the father of the complainant.

In the circumstances, it is hard to find any fault with the judgments passed by the Courts below.

Consequently, the application stand dismissed.

August 09, 2016
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(AJAY TEWARI)
JUDGE

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No