

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

**Criminal Misc. No. M-13725 of 2014(O&M)
Date of Decision:-12.01.2016**

Suresh Gagneja and another ...Petitioners

Versus

State of Punjab and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. *Whether reporters of local newspapers may be allowed to see judgment?*
2. *To be referred to reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Present:- Mr. Lajpat Sharma, Advocate for
Mr. Parvesh Sachdeva, Advocate for the petitioners.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. Saurabh Singh Advocate for
Mr. Sandeep Jasuja, Advocate for respondents No.6 & 7.

HARI PAL VERMA J.(Oral)

Prayer made in the instant petition filed under Section 482 Cr.P.C. is for issuance of a direction to the official respondent No.3 i.e. Deputy Commissioner, Fazilka, District-Fazilka to decide the representation dated 16.12.2013 (Annexure P-1) filed by the petitioners.

Learned counsel for the State has filed reply by way of affidavit of Ravinder Singh, Deputy Commissioner, Fazilka, District-Fazilka on behalf of respondents No. 3 and 5 in Court today, which is taken on record.

As per the contents of the said reply, it has been found that there was dispute relating to property between the petitioners and their neice Divya (daughter of deceased Rajesh Kumar), but the petitioners never produced any stay order from any Court of law, on the basis of which the registration authority could refuse to register the deed of transfer of property as presented by Miss Divya (respondent No.6). In the absence of the any order of stay from Court of law, the representation of the petitioners was without any basis.

The dispute between the parties is regarding the property only and Civil Court has the powers to decide such matters.

I have heard learned counsel for the parties.

Taking into consideration the said reply, wherein, it has been stated that the present dispute is of civil nature between the parties, no order under Section 482 Cr.P.C. can be passed.

Faced with the above, learned counsel appearing for the petitioners wishes to withdraw the instant petition with the liberty to avail appropriate remedy, as admissible under law.

Dismissed as withdrawn with liberty as aforesaid.

12.01.2016

Anjal

(*HARI PAL VERMA*)
JUDGE