

CRM-M-28610-2016

Date of Decision : 19.08.2016

Paramjit Singh

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Rakesh Kumar, Advocate
for the petitioner.**M.M.S. BEDI, JUDGE (ORAL)**

Petitioner claims that he is in exclusive possession of a joint property as per the revenue record. The petitioner has filed a suit for injunction against his brothers to restrain them from interfering in the exclusive possession of particular khasra numbers of the joint property. An order of *status quo* was passed by the Civil Judge (Junior Division), Kapurthala on 27.04.2016.

The grievance of the petitioner is that in violation of the interim order passed by the Court his possession has been interfered with by the private respondents in connivance with the police.

On asking of the Court, learned counsel for the petitioner, on instructions of his client, submits that an application under order 39 Rule 2-A C.P.C. has also been filed against the contesting defendants. The petitioner through instant petition under Section 482 Cr.P.C. seeks the indulgence of this Court for a direction to the State authorities to protect the life and liberty of the petitioner.

I have considered all the facts and circumstances of the case. So far as the exclusive possession of the joint land or interference

by the private respondents is concerned, it will not be appropriate for this Court to enter into the dispute of facts which is subjudice before the Civil Court.

So far as the claim of the petitioner for protection of life and liberty at the hands of the private respondents is concerned, the petitioner has already submitted a representation to the Director General of Police, Punjab and Senior Superintendent of Police, Kapurthala.

This petition is disposed of with a direction that in case of apprehension of any breach of peace or any genuine threat to the life and liberty of the petitioner, the same would be protected by the police authorities. It will be appreciated in case, the matter is inquired into on the representation Annexure P-5 dated 30.07.2016 allegedly submitted by the petitioner to the Senior Superintendent of Police, Kapurthala. Even if no such representation has been filed, it will be open to the petitioner to approach the concerned police authorities, in case there is an apprehension of breach of peace.

(M.M.S. BEDI)
JUDGE

19.08.2016

Neha

Whether Speaking/Reasoned: Yes/No

Whether Reportable: Yes/No