

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

**CRL. MISC. No.M-35550 OF 2015
DATE OF DECISION : 3rd OCTOBER, 2016**

Sharandeep @ Sandeep & others

.... Petitioners

Versus

State of Haryana & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sandeep Vermani, Advocate for the petitioners.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. for quashing of FIR No.71 dated 30.05.2016 registered under Sections 148, 149, 427, 452 & 506 IPC at Police Station Babain, District Kurukshetra.

Heard learned counsel for the petitioners.

Learned counsel for the petitioners vehemently submitted with reference to the FIR in question that the land in which the incident said to have taken place belongs to the petitioners only and there are documents on record. He, therefore, submits that this dispute is of civil nature and there are judgments of Civil Courts (Annexures P-2 & P-4) with regard to the title of the land in question. He therefore, submitted

that on this ground the FIR deserves to be quashed since the dispute is of civil nature.

Upon hearing learned counsel for the petitioners, I have also gone through the FIR in question and the relevant portion of the FIR is reproduced as follows:

“That on dated 22.05.2016 at 10:15 am as I was coming back to home after listening Satsang from Radha Soami Satsang house of Beant village as I reached nearby village, I saw some people were standing on our tubewell, so after looking them. I reached on tubewell, then they entered into the tubewell by breaking the lock and on my watching they started breaking starters, cable, greef and wires installed in the room and on the same time they destroyed our crop of Ziri by tractor farmtrack 60 of blue colour. When I stopped them to do so then Randeep, Sharandeep sons of Dharambeer, Pradeep, Dushyant sons of Shamsher Singh, Baldev son of Jangbeer, Googna son of Ranbir residents of Bhagwanpur and other 15-20 unknown boys who had covered their faces and all these started running behind me with sticks, binde and axe and at that time Randeep and Sharandeep raised lalkara that run away from here otherwise will kill you and will burry you

here. So I ran away from there and narrated the whole incident to my family and villagers. That my family members told me that they will talk to them and on the next day Dharambir expired due to illness, due to which Panchayat was not initiated and the people of village were saying that the matter is of village and we will talk by sitting.”

Perusal of the above averments in the FIR clearly show that the petitioners had indulged in the criminal offences as narrated in the FIR. No case is, therefore, made out for quashing the FIR, as prayed for.

Dismissed.

3rd OCTOBER, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE