

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

Date of decision:07.02.2017

kulwant Chatha

.....Petitioner

VS

Hardial Singh Mann and othes

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.PPS Doabia,Advocate for the petitioner.

Mr.Anant Kataria,DAG Punjab for official respondents.

Mr.CM Munjal,Advocate for private respondents.

Jaswant Singh,J(Oral)

Petitioner filed CRM-M 29652/2013 for directing the police authorities to conclude investigation in FIR No.44 dated 26.2.2013 under Sections 447, 434,427,120-B IPC,PS Guruharsahai arising out of a land dispute between petitioner's father and private respondents 4 to 9 herein. The said petition was disposed of by this Court vide order dated 11.10.2013 (P-1) with the direction to conclude the investigation within a period of three months and in case the petitioner makes an approach for grant of security her request would be entertained in accordance with law.

In the present contempt it is alleged that the land dispute has been finally decided by Financial Commissioner,Punjab vide order dated 5.8.2014(P-2) in favour of the petitioner's father but the official respondents i.e. SP(D) and DSP(D)Ferozepur have sent a false report to higher authorities that petitioner is making a false case. Various legal notices/representations in this regard are stated to have been made to the authorities. It is further alleged that on 24.4.2015 private respondents harvested crop standing in the land measuring 6K13M owned by petitioner's father. Thus, violation of the order dated 11.10.2013(P-1) is alleged.

Upon notice, reply by way of affidavit dated 26/28.8.2015 of Hardial Singh Mann,SSP Ferozepur has been filed. It is stated therein that after passing of order 11.10.2013(P-1) investigations into case FIR No.44 dated 26.2.2013 stood completed and challan was presented in Court of

competent jurisdiction on 24.12.2013 and the matter is pending adjudication. It is further stated that the legal notices/representations moved by the petitioner were inquired into and after fair, prompt and unbiased inquiry were filed as nothing substantial with regard to allegations made by the petitioner came forward. It is further stated that due to continuing tension between the parties preventive action under Section 107/150 Cr.PC has been taken vide DDR No.17 dated 27.3.2014. It is also stated that petitioner was provided security vide DDR No.11 dated 25.9.2014(R-4/T). Thus it is submitted that the investigations were conducted within the stipulated period of three months and security was also provided to the petitioner. It is further stated that future requests of petitioner for security shall also be considered as per law as and when she approaches the local police.

After hearing the learned counsel for the parties and keeping in view the directions contained in the order dated 11.10.2013(P-1) and reply filed by official respondents, in my opinion, the order stands fully complied with and no case is made out for initiating contempt proceedings. Rule is discharged.

07.02.2017
joshi

(Jaswant Singh)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable:	Yes/No