

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

Date of decision: 03.07.2017

CRM-M No.22932 of 2017

Jaswant Singh

...Petitioner

Vs.

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Jagmeet Singh Moudgill, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J.

The petitioner has preferred this petition under Section 482 Cr.P.C. seeking directions to respondents 2 & 3 i.e. Senior Superintendent of Police, Tarn Taran and Station House Officer, P.S.Sarhali, District Tarn Taran respectively, to protect his life and property at the hands of respondent 4, namely, Nahar Singh son of Kehar Singh, resident of H.No.478, Green Avenue, Amritsar.

Story put-forth is that respondent 4 – Nahar Singh lodged a complaint with the Senior Superintendent of Police, Amritsar (Rural) against the petitioner and two other persons levelling allegations that they have committed fraud with him on the pretext of selling land. The petitioner admits that the deal of sale of land measuring 8½ Marlas was struck for ₹20,00,000/-. The sale deed in respect of said land was executed on 04.08.2011, but the possession was not handed over to respondent 4.

The petitioner is admittedly a seller of the land, while respondent 4, going by the averments made in Para.2, appears to be the buyer. If a sale deed has been executed, then the petitioner must hand over possession to respondent 4. If he disputes the possession, then he must take recourse to civil proceedings and pray for interim measures. An injunction from the Civil Court will be a protection against the respondents. The petitioner is at liberty to take recourse to law as against sale deed executed on 04.08.2011 and admittedly possession having not passed over to respondent 4. Those who seek equity must do equity. If the petitioner is being called to the police station by respondent 5 to enter into a compromise, as stated in Para.5, then there is no allegation except that he is made to sit for the whole day in the police station complaining that his life and property is at stake. Nothing has been mentioned in the petition; as to whether in a civil dispute, the Civil Court has been approached which is the appropriate remedy to take recourse to.

Thus, I find that no direction is warranted in this petition. It is ordered to stand dismissed.

03.07.2017
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>