

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

**CRM NO. M-24951 OF 2017(O&M)
DECIDED ON : 14.07.2017**

Arun Kumar

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Gaurav Grover, Advocate,
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking a direction to respondents No.1 to 5 to protect his life and liberty, as he is threatened by private respondents No. 6 to 17.

Learned counsel for the petitioner contends that the private respondents have demolished wall of the first floor of under construction house of petitioner and he has moved a representation to the police authorities, who have taken no action in the matter. It is further contended that the private respondents have been threatening and assaulting the petitioner.

Heard.

It has been stated by the petitioner in paragraph 6 of the petition that he had filed a civil suit for permanent injunction, restraining the defendants/private respondents from interfering in the peaceful construction of both the walls as EF-EH shown with

red colour in the site plan dated 16.05.2017. It is further mentioned therein that on 27.06.2017, all the defendants marked their presence and the matter was sent to Mediation Centre for compromise and was fixed on 03.07.2017. It is further stated that on 03.07.2017, an ex parte order was passed at 3.40 PM when the defendants did not appear in the matter.

It is, thus, patent that the petitioner is pursuing his remedy before the civil Court. If an order has been passed in his favour by the trial Court, it will of course be open to him to get the order executed in accordance with law.

In view of the above, I do not intend to interfere in such a matter while exercising jurisdiction under Section 482 Cr.P.C . The petition is accordingly dismissed. However, it shall be open to the petitioner to pursue his remedy in accordance with law.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 14, 2017

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| 1. Whether speaking/reasoned : | YES/NO |
| 2. Whether reportable : | YES/NO |