

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-23279-2017 (O&M)

Date of Decision:-09.10.2018.

Lal Singh and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Deepak Kaushal, Advocate for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

P.B. BAJANTHRI, J. (Oral)

In this petition, petitioners have sought for quashing of the FIR No.3 dated 23.01.2015 under Sections, 2, 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station City Kotkapura, District Faridkot (Annexure P-1) and all the consequential/subsequent proceedings arising therefrom.

2.) Learned counsel for the petitioners vehemently contended that pursuant to the Pritam Kaur's complaint, petitioners are not cultivating the land which is stated to have been allotted to Pritam Kaur and others who belong to SC & ST communities. The petitioners' contention is that first petitioner is resident of Chandigarh and second petitioner is residing at USA. Question of cultivating land do not arise. Therefore, petitioners have been implicated falsely in the present matter.

3.) *Per contra*, learned State counsel, on instructions from ASI Kashmir Singh, submitted that with reference to the revenue records read with the investigation conducted by the revenue authorities, it is evident that petitioners are cultivating the lands which are allotted to the SC & ST persons like complainant Pritam Kaur. The petitioners' contention that they are residents of Chandigarh and USA is assumed to be correct. At the same time, one cannot ignore the fact that sitting at Chandigarh and USA, they can cultivate the land with the help of labourers or any mode when the revenue records speaks that the land allotted to the SC & ST persons are being cultivated by the petitioners, question of interference with FIR No.3 dated 23.01.2015 do not arise.

4.) At this stage, learned counsel for the petitioners seeks permission to withdraw the petition and it is permitted.

5.) Accordingly, petition stands dismissed as withdrawn.

(P.B. BAJANTHRI)
JUDGE

October 09, 2018.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.