

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

1. CRM-M-32530-2011(O&M)

Gurmail Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

2. CRM-M-33876-2014 (O&M)

Mohinder Kaur and others

... Petitioners

Vs.

State of Punjab and others

... Respondents

Date of Decision:11.05.2018

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

Present : Mr. Harinder Singh, Advocate
for the petitioner (s).

Mr. A.A. Pathak, Addl. A.G. Punjab.

Mr. K.K. Garg, Advocate
for respondent No.2.

P.B. BAJANTHRI J. (Oral)

By this common judgment, both the aforementioned cases shall be decided together being arising out of same FIR.

2. Petitioners have sought for quashing of FIR No.145 dated 03.05.2011 registered under Sections 447,448, 506, 148,149 IPC at Police Station City Barnala, District Barnala.

3. Perusal of the FIR, it is evident that there is a dispute relating to sharing of land among the petitioner and private respondents and others. Dispute is relating to possession of excess land contrary to revenue records. In other words, petitioner (s) are in possession to the holder of the land. In this regard, petitioners are stated to have filed suit for injunction wherein they suffered order. In view of these facts and circumstances and the fact that no criminal offence is committed by the petitioners so as to file criminal

complaint. Even reading of the FIR, there is no dates and events relating to forcibly occupying excess land by the petitioner. In other words, entire case is relating to civil dispute.

4. Accordingly, petitions are allowed and FIR No.145 dated 03.05.2011 registered under Sections 447,448, 506, 148,149 IPC at Police Station City Barnala, District Barnala and all consequential proceedings arising therefrom are hereby quashed.

11.05.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**