

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

CRM-M-43767-2018 (O&M)

Date of Decision:-5.10.2018

BhupinderPal Singh @ Sonu and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Munish Kumar, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

The petitioners seek quashing of FIR No.110 dated 16.9.2017 under Sections 353, 186 read with Section 13-A of Village Common Land Revenue Act, 1961 registered at Police Station Sadar Nawanshahar, District SBS Nagar and all the subsequent proceedings arising therefrom.

It has inter alia been submitted by learned counsel for the petitioners that the property in question where the offences in question are alleged to have taken place is infact within 'Lal Lakeer' and is in possession of the petitioners as has also been held by Civil Court way back in the year 1982 and that in these circumstances no offence under Sections 353, 186 or under Section 13-A of Village Common Land Revenue Act, 1961 can be said to be made out.

Having heard the learned counsel for the petitioners, the petition is disposed of with liberty to the petitioners to raise all the points raised herein before the trial Court at the stage of framing of charges as the

learned counsel has submitted that the matter is now fixed for consideration of the framing of the charges.

Needless to mention, in case the aforesaid points are raised before the trial Court at the stage of consideration of framing of charges, the trial Court shall consider the same and pass a speaking order thereafter.

5.10.2018

pankaj

(Gurvinder Singh Gill)
Judge

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