

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

**CRR-2917 of 2015(O&M)
Date of Decision: 16.07.2018**

Darshan Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. PS Punia, Advocate, for the petitioner.

Mr. A.S. Gill, DAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

CRM-25727-2015

For the reasons mentioned in the application, the same is allowed.

Delay of 26 days in filing the petition is condoned.

CRR-2917 of 2015

Through this revision petition, the petitioner has assailed the judgment of the First Appellate Court dated 27.03.2015, whereby judgment of the trial Court dated 02.11.2012 acquitting respondents No.2 to 4 was affirmed.

According to the complainant, respondents No.2 to 4 in the wee hours of the day, illegally and forcibly ploughed the land of the complainant.

The trial Court, after holding trial, acquitted respondents No.2 to 4 vide order dated 02.11.2012.

Being unsatisfied, the petitioner approached the First Appellate

Court, but remained unsuccessful as his appeal too was dismissed.

Heard.

Admittedly, respondents No.2 to 4 were co-sharers of the petitioner at the time of alleged forcible ploughing of joint land by them.

During the course of arguments, it reveals that the petitioner, later on, sold the land in question to respondents No.2 to 4 and therefore, left with no title, right or interest in the disputed land.

The trial Court and the First Appellate Court have rightly acquitted respondents No.2 to 4 on the ground that when the land is joint, in that eventuality every co-sharer has interest in every inch of the same. Since respondents No.2 to 4 were co-sharers, therefore, from any stretch of imagination, it cannot be said that they had illegally and forcibly ploughed the joint land. They had cultivated the same in their own right.

I have gone through the impugned judgments of both the Courts below and found no illegality or perversity in the same.

Dismissed.

July 16, 2018
monika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No