

Gurdwara Sadh Sanghat

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Shubham, Advocate, for,
Mr. Vivek Salathia, Advocate,
for petitioner.

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KULDIP SINGH, J. (ORAL)

Petitioner is a Gurdwara committee. It is alleged that land of Gurdwara was given on lease in an open auction every year. For the year 2017-18, one of private respondents, namely, Suba Singh (respondent No. 6) was given land on lease. Now, private respondents are forcefully taking possession of land. A civil suit was filed and injunction was obtained. Even then, crop was harvested. Now, complaint dated 3.11.2018 (Annexure-P-3) has been moved by petitioner Gurdwara committee to police.

I am of the view that if in civil suit, injunction has been granted, petitioner Gurdwara committee can seek police help to enforce injunction. However, if some crime has been committed and they have made a complaint and police is not taking any action, they are at liberty to move learned Illaqa Magistrate concerned with a criminal complaint with appropriate prayer.

In these circumstances, petitioner committee is directed to appear before Senior Superintendent of Police, Amritsar Rural (respondent No. 2) alongwith complaint, who shall look into same in accordance with law. If police does not take any action, they shall be at liberty to file criminal complaint before learned Illaqa Magistrate. Disposed of.

(KULDIP SINGH)
JUDGE

5.12.2018

sjks

Whether speaking order	:	Yes	/	No
Whether reportable	:	Yes	/	No