

115

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

**CRM-M No.7226 of 2018
Date of Decision: 21.02.2018**

Zila Singh and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sanjiv Kumar Aggarwal, Advocate,
for the petitioners.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are respondents in Case No.88/SDO instituted by the private respondents in the Court of the Ld. Sub Divisional Judicial Magistrate, Kaithal, seek quashing of the aforesaid proceedings in the form of a Kalendra under Section 145 of the Code of Criminal Procedure, by contending that continuation of the same would be an abuse of the process of law, since their right, title and interest in the disputed lands/properties has been declined in a judgment passed by the Competent Civil Court vide its judgment and decree dated 30.01.2018 (Annexure P-9).

2. Notice of motion.

3. On the asking of the, at this stage, Mr. Manish Bansal, D.A.G.,

Haryana, accepts notice on behalf of the State.

4. It is further submitted by Ld. Counsel for the petitioners that after the impugned order under Section 145 of the Code of Criminal Procedure was passed by the S.D.O., Kaithal, the petitioners preferred revision against the same, which is now pending in the Court of the Ld. Additional District and Sessions Judge, Kaithal, being CRR No.43 of 2017, on account of which, even those proceedings have become redundant. The petitioners have nevertheless approached this Court by contending that the aforesaid revision petition, filed almost a year back, has been time and again adjourned by the Ld. Sessions Court.

5. In this view of the matter, and without making any comments on the merits of the petitioners' contentions, the matter is disposed off with a liberty to them to place the appropriate material on the basis of which they seek quashing of the proceedings before the Ld. Revisional Court by moving a regular application after notifying the private respondents before the next date fixed in the said case (27.03.2018).

6. The Ld. Revisional Court is, therefore, directed to finally decide the matter independently on its own merits as expeditiously as possible and preferably within a period of three months from the date from which the requisite application on behalf of the petitioners is moved.

21.02.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No