

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

CRM-M-2961-2019
Date of decision:23.01.2019

Balwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Naveen Sharma, Advocate
for the petitioner.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner has approached this Court seeking issuance of direction to respondents No.3 and 4 not to harass the petitioner. Another direction has been sought so as to direct the official respondents to ensure that notice under Section 160 Cr.P.C. be issued to the petitioner before he summoned in connection with any complaint/FIR.
2. It is the case of the petitioner that a land 'Mafia' is active in the area of village Ladowal headed by Gulam Rasul @ Ghalla Gujjar who has an evil eye on the land of the petitioner since the year 2015 and has been making repeated attempts to grab his property and had also issued threats to the petitioners. It is alleged that the petitioner had made

complaints to the police and FIR No.96/16 was registered at Police Station Ladowal against the land grabbers. It is further alleged that the said land grabbers had subsequently fabricated a forged agreement for sale of the property and later on in order to pressurize the petitioner had got him implicated in a false case for offences punishable under Sections 307, 376(D), 365, 341, 392, 506, 148, 149 of Indian Penal Code, 1860 vide FIR No.153/17, Police Station Riyasi District Riyasi, Jammu and Kashmir and had got a writing executed from him by exerting pressure. Learned counsel has further submitted that aforesaid Gulam Rasul @ Ghalla Gujjar and his accomplices are having nexus with the police and politicians and at their behest the petitioner and other members of his family are being called to the police station repeatedly in order to harass them.

3. Having heard learned counsel for the petitioner, this petition is disposed of with a direction to respondent No.2-Commissioner of Police, Ludhiana to look into the matter and to dispose of representation dated 4.1.2019 (Annexure P-1) in accordance with law. Respondent No.2 is further directed to verify about the antecedents of Gulam Rasul @ Ghalla Gujjar who is alleged to be a land grabber and in case it is found that aforesaid Gulam Rasul @ Ghalla Gujjar is involved in civil litigation as well as criminal cases pertaining to properties, then it be ensured that no harm is caused to the petitioner in any manner by said Gulam Rasul @ Ghalla Gujjar or by his aides.
4. Further, in case, the petitioner is required to be associated with any inquiry or investigation or some information is to be elicited from him,

then a written advance notice in terms of Section 160 of Criminal Procedure Code, 1973 be served upon him.

5. A copy of this order along with copy of the representation (Annexure P-1) be sent to respondent No.2-Commissioner of Police, Ludhiana so as to enable him to do the needful expeditiously.
6. It is however clarified that this order is not to be treated as an expression in any manner in relation to FIR No.153/17 under Sections 307, 376(D), 365, 341, 392, 506, 148, 149 of Indian Penal Code, 1860, Police Station Riyasi District Riyasi, Jammu and Kashmir stated to be registered against the petitioners.

(GURVINDER SINGH GILL)
JUDGE

23.01.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No