

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10653-2019

Date of Decision: 11.07.2019

Sarabjit Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Balbir Singh, Advocate,
for the petitioner.

Mr. A.P.S. Gill, D.A.G., Punjab.

Mr. V.K. Sandhir, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 08.03.2019, learned counsel for the State, on instructions from ASI Charan Singh, submits that the petitioner has in fact joined investigation and that her custodial interrogation is not required.

Learned counsel for the complainant, on the other hand, submits that the averment made by the petitioner on the date that the petition first came up for hearing, i.e. 08.03.2019, to the effect that she is the owner of the plot it having been allotted to her by the Panchayat, is a wholly incorrect statement, in view of the fact that no Panchayat exists in the area in question since the year 1965 (it having become a Municipality). He submits that in fact the complainant had purchased the land, vide a registered sale deed dated 09.03.1978.

He further submits that the land had been given to the petitioner for looking after it about 06 years ago, but instead of looking after it, now when the complainant is demanding the land back, the petitioner has started selling off trees standing on it, after cutting them.

Learned State counsel submits that as a matter of fact the petitioners' husband, who is a co-accused, has already been arrested in connection with another case and consequently, though it does seem as per the investigation carried out so far, that some trees have been sold, the investigating agency does not consider it necessary to formally arrest the petitioner.

That being so, with no comment made whatsoever on either the investigation carried out so far, or on the contentions raised on both sides, the investigating agency itself stating that the petitioner has joined the investigation and that her custodial interrogation is not required, nothing further needs to be stated by this Court in this petition.

The petition is consequently disposed of as having been rendered infructuous.

Naturally, the complainant would be at liberty to avail of all remedies available to him, as per law.

July 11, 2019
nitin/dinesh

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
Yes