

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

CRM-M-36468-2011 (O&M)

Date of decision : 19.12.2019

Guru Nanak Mission College Education Society

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Karan Bhardwaj, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

Mr. Joginder Sharma, Advocate for respondent No.3.

ANIL KSHETARPAL, J. (ORAL)

The present petition has been filed challenging initiation of proceedings under Section 145 Cr.P.C. and order passed by the Sub Divisional Magistrate under Section 146 Cr.P.C.

On 02.12.2011, while issuing notice of motion, operation and effect of order dated 16.08.2011 was ordered to be stayed.

Learned counsel for the petitioner submits that the civil suit between the contesting parties stands decided and question of possession has been decided in favour of the petitioner-Society. However, he is unable to produce the copy of the judgment.

Learned counsel for respondent No.3 submits that he is not in contact with his clients.

Be that as it may. The present petition is disposed of by permitting the petitioner-Society to move an application for dropping the proceedings under Section 145 Cr.P.C. in view of the decision of the Civil Court, if any, passed in favour of the petitioner-society. If such an application is filed within a period of 30 days from today, the same shall be decided by the concerned Sub Divisional Magistrate within next 30 days in accordance with law.

Till then, the interim order granted on 02.12.2011 shall continue to operate.

Disposed of, accordingly.

19.12.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No