

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

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**CRM-M-26678-2019(O&M)
Date of Order:23.10.2019**

NIRMAL SINGH

..Petitioner

Versus

STATE OF PUNJAB AND ORS.

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. O.P.Kamboj, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

Mr. K.S.Hissowal, Advocate,
for respondent nos.5 to 8.

ANIL KSHETARPAL, J(Oral)

Present petition has been filed with the following substantive
prayers:-

“It is therefore, respectfully prayed that the present petition may kindly be accepted and directing the respondents no.1 and 2 to protect the life, liberty and property of the petitioner and his family members, which is in danger at the hands of the respondents no.3 to 8 and their accomplices; and

Further directing the respondents no.3 to 8 not to harass and intimidate the petitioner and not to interfere in the agricultural activities of the petitioner to earn livelihood from his agriculture land measuring 35 kanals 19 marlas owned and possessed by the petitioner in village Bhutiwala Tehsil Zira District Ferozepur which was allotted in lieu of the land left in Pakistan, which is part of his legal as well as fundamental rights to life; and

Directing the respondent no.2, SSP, Ferozepur to look into the representation dated 01.06.2019 Annexure P-4 of the petitioner which was sent through register post.”

Pursuant to the notice, status report by way of affidavit of Deputy Superintendent of Police has been filed, paragraph 4 whereof reads as under:-

“4. That said application of the petitioner has been marked to the deponent for enquiry. Both the parties joined in the enquiry proceedings and deponent had also visited the spot and conducted the enquiry in accordance with law. During enquiry all the allegations leveled by the petitioner against respondents no.3 to 8 were found to be false. During enquiry it also found that no occurrence dated 31.05.2019 as alleged by the petitioner was taken place. It is also found that respondent no.7 Jasbir Singh party is in possession of the property in question. It is also found that litigation between petitioner and Jasbir Singh etc. is already pending in the court of Finance Commissioner Revenue.”

Dispute is with regard to possession of land measuring 35 kanals 19 marlas. It has been alleged that the police is unnecessarily interfering in the possession and is making efforts to dispossess the petitioner.

Keeping in view the facts of the case, this Court is of the considered opinion that the petitioner should be relegated to the alternative remedy.

Disposed of accordingly.

October 23, 2019
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No