

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

CRM-M-44581-2018 (O&M)

Date of decision : 21.08.2019

Om Parkash

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab
alongwith ASI Nahar Singh and SI Jaspal Singh.

Mr. G.S. Salana, Advocate for respondent Nos.8 and 9.

ANIL KSHETARPAL, J. (ORAL)

Present petition was filed with following substantive prayers:-

“It is, therefore, respectfully prayed that this petition may kindly be allowed and directions may be issued to Respondents No.1 to 3 directing Respondents No.4 to 7 not to harass Petitioner at the instance of respondents No.8 to 10 as the Respondents No.4 to 7 only under the influence of Respondents No.8 to 10 are threatening Petitioner under the pretext of registering an FIR against him and illegally stopping Petitioner from running the business of brick kiln, even there is stay granted by the Ld. Civil Court, Amloh vide order dated 13.09.2018;

Further directions may be issued to Respondents No.1 to 3 restraining Respondents No.4 to 7 from threatening

Petitioner and his family members at the instance of Respondents No.8 to 10 as Respondents No.4 & 5 illegally summoned Petitioner to P.S. Amloh and further threatened that till civil suit is pending, Petitioner will not run his brick kiln and further threatened that if Petitioner will try to run brick kiln then Petitioner and his son will be implicated in false FIR. Once, stay has been granted in favour of Petitioner by the Ld. Addl. Civil Judge (Sr. Divn.) Amloh vide order dated 13.09.2018, Respondents No.4 to 7 have no jurisdiction at all to interfere with the orders of Ld. Addl. Civil Judge (Sr. Divn.) Amloh and further illegally sending police officials to the brick kiln and stopping working/business of brick kiln illegally only under the influence of Respondents No.8 to 10 and putting pressure on Petitioner to get the matter settle with Respondents No.8 to 10 is totally illegal and against the rights of the Petitioner.”

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab, on instructions from ASI Nahar Singh and SI Jaspal Singh, has submitted that a complaint from Avtar Singh-respondent No.9 was received against the petitioner, which after enquiry has been filed as the dispute was of civil nature and no further complaint is pending against the petitioner as on date.

In view of the above, the present petition is disposed of.

21.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No