

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

**CRM-M-1080-2021
Date of decision: 12.01.2021**

Malkit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. G. L. Bajaj, Advocate
for the petitioner.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition, filed under Section 482 Cr.P.C., is for issuance of directions to official respondents to take action on the representation of the petitioner, dated 25.12.2020, against respondent Nos. 5 to 9, who are trying to take forcible possession of the land of the petitioner measuring 7 Kanal 3 Marla.

On the face of it, there is a dispute regarding possession of some agricultural land between the parties and the petitioner, instead of filing a civil suit for permanent injunction, is repeatedly approaching the police authorities to grant her protection.

Learned counsel for the petitioner submits that on an earlier occasion, FIR No. 15 dated 05.02.2016, under Sections 447/34 IPC was registered at Police Station Nehianwala, in which some of the accused were convicted and the appeal is still pending.

Learned counsel further submits that even in CRM-M-19819-2016, filed with a similar prayer, this Court, on 29.07.2016,

had directed the Senior Superintendent of Police, Bathinda to look into the representation of the petition and decide the same.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is also appearing through video conferencing, accepts notice on behalf of the official respondents and submits that one of the FIRs, registered by the petitioner, was later on cancelled.

After hearing learned counsel for the parties, considering the fact that it is primarily a dispute regarding possession of some land and since there is no order from any competent Court of law or Civil Court to show that the petitioner is either owner or in legal possession of the said property, it is not for the police authorities to decide this aspect.

Accordingly, finding no merit in the present petition, the same is dismissed.

However, liberty is granted to petitioner to approach Civil Court for redressal of her grievances.

12.01.2021

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No