

CRM-M-1756-2021

Date of Decision: 14.01.2021

Suman Devi and others

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Sandeep Kumar Yadav, Advocate,
for the petitioners.

AMOL RATTAN SINGH, J. (ORAL)

Case heard by video conferencing.

By this petition, the petitioners seek quashing of FIR no. 324 dated 04.09.2020, registered at Police Station Kanina, District Mahendergarh, for the alleged commission of offences punishable under Sections 323/34/427/448/506/509 of the IPC, as also all other subsequent proceedings arising therefrom.

The issue in this matter actually is as to whether the petitioners are in possession of the plot/house in question, or it is respondent nos. 5 to 7 who are in possession thereof, with learned counsel for the petitioners submitting that as per Head Constable Urmila, who went to enquire into the matter initially, i.e. on 21.03.2020, she had duly recorded that in fact it was the petitioners herein who are owners of the plot, who had allowed respondent no.6 to tether his cattle there, and when the petitioners asked him to remove the cattle, a scuffle took place but with no injuries and consequently, proceedings under the provisions of Sections 107/150 of the Cr.P.C. were initiated.

However, six months later, the same official got registered the FIR

in question on the same application/complaint.

Learned counsel for the petitioner further submits that, firstly, the revenue record is in favour of the petitioners as regards the ownership and possession of the property in question and further, that they have made a representation to the Superintendent of Police, Mahendergarh (respondent no.4), to hear their grievance, which has not been looked into so far and the petitioners, at this stage, would be satisfied with an appropriate direction issued to the Superintendent of Police.

That being so, this petition is disposed of with a direction to the Superintendent of Police, Mahendergarh, to go into the representation of the petitioner (copy Annexure P-7), dated September 15, 2020, and after hearing both parties to take appropriate action as is necessary as per law, within a period of two months from the date of receipt of a certified copy of this order.

January 14, 2021
nitin

Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE

Yes
No.