

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2021/07/12 12:52
I attest to the accuracy and
authenticity of this document

CRM-M-24206-2021

Date of decision : 6.7.2021

Harinderpal

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Roopak Bansal, Advocate
for petitioner.

Mr. Sarabjit Singh Cheema, AAG Punjab.

(Through Video Conferencing)

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 482 Cr.P.C. seeking directions to respondents No. 2 and 3 to register FIR against private respondents No. 4 to 10 for committing the offence of illegally cutting the crop of petitioner. Directions are also sought from respondents No. 2 and 3 to decide and take appropriate legal action on representations dated 14.4.2021 and 15.4.2021 (Annexure P-3 and Annexure P-4 respectively) submitted by petitioner.

It is the case of petitioner that father of petitioner was in cultivation possession of land which is subject matter of dispute. He died on 28.9.2019. After death of his father, it was reflected in the name of petitioner. The petitioner has earlier sown crop which was harvested by him. Private respondents were threatening the petitioner to dispossess him from land in dispute illegally or forcibly. Thereafter, petitioner filed a civil suit seeking permanent injunction for restraining respondents therein from interfering in peaceful possession of petitioner over the suit land. He also filed an application under Order 39 Rules 1 and 2 CPC for restraining respondents, who were arrayed as defendants, from dispossessing him illegally and forcibly from the suit land.

The learned Civil Judge (Junior Division), Ajnala, vide order dated 21.12.2020 disposed of application filed under Order 39 Rules 1 and 2 CPC by directing the parties to maintain status quo qua possession over suit land during the pendency of suit.

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It is alleged that despite status quo order passed by Civil Court, private respondents who are defendants in suit have cut the wheat crop of petitioner. In this regard, petitioner submitted representations (Annexure P-3 and Annexure P-4), but no action has been taken thereon.

Having heard learned counsel for petitioner, in my view, no direction at this stage would be required to issue to official respondents. The petitioner has already filed an application under Order 39 Rule 1 and 2 CPC, on which there is an order of status quo has been passed. The civil suit is pending. It is open to petitioner to avail of any other appropriate remedy for violation of status quo order passed by Civil Court before the competent court of jurisdiction.

Disposed of.

(HARINDER SINGH SIDHU)
JUDGE

6.7.2021
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No