

CRWP-5928-2021

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

CRWP-5928-2021.

Date of Decision:-01.10.2021.

Darshan Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Naresh Jain, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is a criminal writ petition under Article 226 of the Constitution of India for protection of life and liberty of the petitioner at the hands of private respondents, who are stated to have trespassed into the property of the petitioner in spite of the suit for permanent injunction having been filed and the fact that the eviction petition filed by respondent Nos.4 and 5 had been dismissed.

Learned counsel for the petitioner has submitted that although decree is there in favour of the petitioner yet, respondent Nos.4 and 5 are attempting to interfere in petitioner's possession.

Learned State counsel has submitted that they have considered the representation dated 03.06.2021 (Annexure P-3) and found that the

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matter is primarily a civil dispute and also the fact that there is no threat to the life and liberty of the petitioner.

This Court has heard the learned counsel for the petitioner.

The facts, as stated by the learned counsel for the petitioner, would show that in fact respondent Nos.4 and 5 had filed an eviction petition, thus, the said respondent Nos.4 and 5 are pursuing legal remedies available to them in order to take possession. In case respondent Nos.4 and 5, as per the allegations of the petitioner, have violated the injunction order, then the remedy of the petitioner is not to file a petition under Section 482 Cr.P.C. Moreover, as per the State, there is no threat to the life and liberty of the petitioner and the present dispute is only a civil dispute.

Accordingly, the present petition is dismissed.

(VIKAS BAHL)
JUDGE

October 01, 2021.

sandeep

Whether speaking/reasoned:-

Whether Reportable:-

Yes/No

Yes/No