

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

CRM-M-35809-2021 (O&M)

Date of decision: 01.09.2021

Chiman Singh Sarpanch

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Bikramjit Singh Bajwa, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

This petition has been filed under Section 482 Cr.P.C. for issuance of directions to respondents No. 3 and 4 to provide the necessary police help to the petitioner, who is duty bound to comply the order dated 23.09.2019 of the Deputy Commissioner/Deputy Magistrate, Ferozepur.

Learned counsel for the petitioner submits that the petitioner is a Sarpanch of the village. As per the report of the revenue department, some of the villagers had encroached upon the outer road of the village. The petitioner had made a representation to respondent No. 2-Deputy Commissioner, Ferozepur, through respondent No. 6-Block Development and Panchayat Officer, Guruharsahai, District Ferozepur, whereupon, notices dated 17.07.2019, 25.07.2019 and 07.08.2019 were issued by respondent No. 2. Thereafter, the Block Development and Panchayat Officer, was directed to remove the encroachment and a letter was also sent

to DSP, Guruharsahai to provide police help for the said purpose.

On 23.09.2019, the respondent No. 2 wrote a letter to the Senior Superintendent of Police, Ferozepur, to provide police help for removal of the illegal encroachment from the outer road of Gram Panchayat Megha Rai Hithar and to maintain peace. On 18.03.2020, when the removal of illegal encroachment started, neither the SHO nor any police party was present at the spot, despite issuance of the directions to this effect. Even on 25.03.2020, 03.06.2020, 11.06.2020, 22.06.2020 and 14.07.2020, the situation remained same, despite specific orders to the SHO to come present at the spot to avoid any untoward incident.

This Court finds that the sincere efforts of the Gram Panchayat for removal of the encroachment, have not materialized thus far, for the lacklustre attitude of the police. Despite the directions of the authorities concerned, absence of the SHO and the police party at the site of encroachment to facilitate its removal, is a serious issue and speaks volumes of the lethargic and callous approach of the police.

In view of the above, the present petition is disposed of with a direction to respondent No. 3-Senior Superintendent of Police, Ferozepur, to look into the matter and direct the SHO concerned to provide the necessary police help for removal of the encroachment on the outer road of the village, in accordance with law.

(HARNARESH SINGH GILL)
JUDGE

01.09.2021

Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No