

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**
(248)

CRM-M-10620-2021
Date of decision: - 25.05.2022

Nirmal Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Amarjot Kaur, Advocate
for Mr. Brijeshwar Singh Bhalla, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Mr. Ranwant Singh Sangha, Advocate
for respondents No.4 and 5.

VIKAS BAHL, J. (ORAL)

This is a petition under Section 482 Cr.P.C. for issuance of a direction to respondent No.2 to take action on the representation dated 11.10.2019 (Annexure P-3) moved by the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had given a representation dated 11.10.2019 (P-3), in which, a prayer has been made for taking action against the accused for getting a mutation sanctioned illegally.

Learned State counsel has filed a short reply by way of affidavit of Jashandeep Singh Gill, PPS, Deputy Superintendent of Police

(City), Moga, District Moga, on behalf of respondents No.1 to 3 and the same is taken on record. As per the said reply, it has been stated that an enquiry was made and it was found that at the time of sanction of mutation of inheritance of deceased Kartar Singh, pedigree-table was prepared and the same was witnessed by Ajmer Singh Namberdar and the statement of Ajmer Singh Namberdar was recorded, in which, he has stated that the legal heir of deceased Kartar Singh was also present and that one Bant Singh used to look after said Kartar Singh. It is further pointed out that the matter is pending before the Civil Court and accordingly, after inquiry, the application dated 11.10.2019 moved by the petitioner, was consigned to the record room.

Learned counsel appearing on behalf of respondents No.4 and 5 has submitted that the present dispute is a civil dispute and the petitioner has already filed a civil suit challenging the mutation order.

Keeping in view the above-said facts and circumstances, more so, the fact that challenge to the mutation order is pending before the Civil Court, thus, no further orders are required to be passed in the present petition and thus, the present petition is disposed of with the liberty to the parties to raise all the pleas available to them during the course of the civil proceedings.

May 25, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No