

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

CRM-M No.21893 of 2017 (O&M)

Date of decision : 29.11.2022

Harbans Singh

..... Petitioner

versus

State of Punjab & others

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- None for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

Prayer is for protection of life, liberty and property of the petitioner who apprehends danger at the hands of respondents No.4 to 8.

Reply by way of an affidavit of Rachhpal Singh, Deputy Superintendent of Police, Sub-Division Payal, Police District Khanna, District Ludhiana reads as under :-

“1.That brief facts of the case are that the petitioner has moved a written application on 08.06.2017 to DSP, Payal vide no. 999 Dasti dated 08.06.2017 which was further marked to SHO Payal with a direction to visit the spot and take necessary action. That in connection with the above said application, inquiry has been conducted by SHO, Payal while summoning both the parties, recorded their statements. They were heard properly, it is transpired that there is a civil dispute regarding one house 4 ½ Biswa which is within the Lal Dora of village Bhadewal consisting of three rooms, bathroom, kitchen and latrine and government water tank. During the enquiry, it is alleged by the respondent no. 7 that the petitioner entered an agreement of sale dated 05.04.2005 with respondent no. 7, has delivered the possession of the house while receiving Rs.10,00,000/- in all. The petitioner was allowed to stay temporarily in the above said house in one room with his consent. That the petitioner has preferred a civil suit on 14.06.2017 against respondent no. 7 regarding the house

in question which is pending in the Hon'ble court of Sh. Neeraj Kumar Singla, SDJM, Payal. The other party respondent no. 7 has preferred a suit on the basis of agreement to sell of the house in dispute which is pending in the court of Sh. Gurmehtab Singh, Civil Judge (Junior Division), Payal as such both the parties are directed to seek their remedy before the learned civil court. The application is ordered to be filed. That the inquiry report is submitted to the court. Copy of the inquiry report of both the cases are combined made by SHO, Payal dated 20.06.2017 is Annexure R-1/T.

2.That there is no personal interest of the officials of the answering deponent in the present matter. They are dealing with the present case as per law. No application has been moved by the petitioner separately to seek his personal security being danger to his life. His application dated 08.06.2017 has been filed. There is a civil dispute between the petitioner and respondents no. 7 and 8. That the respondents no. 4 and 5 acted as per law. They have no personal interest in the matters of the petitioner and respondent no. 7 & 8. Hence the present petition deserves to be dismissed.”

The matter pertains to the year 2017. This Court considers that in view of the stand taken by the State, no further order needs to be passed by this Court.

Consequently, the present petition has been dismissed as having been rendered infructuous.

**(PANKAJ JAIN)
JUDGE**

29.11.2022

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No