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

CRM-M-22783-2022

Date of Decision: September 20, 2022

SUKHWINDER SINGH**....Petitioner(s)****VERSUS****STATE OF PUNJAB AND OTHERS****....Respondent(s)****CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Ajayender Singh, Advocate for
Mr. D.P.S. Mann, Advocate
for the petitioner.

Mr. Kamalpreet Bawa, AAG, Punjab.

Mr. Parminder Singh Sekhon, Advocate
for respondent No.5 and 6.

AMAN CHAUDHARY, J.(ORAL)

The present petition has been filed under Section 482 Cr.P.C. for seeking indulgence of this Hon'ble High Court for issuance of an appropriate order or direction to respondents No.2 to 4 for taking strict legal action against respondents No.5 to 6, who illegally trespassed into the land of the petitioner and intimidating the petitioner to dire consequences.

Notice in this case was issued on 24.05.2022, pursuant to which learned State counsel has filed reply dated 15.09.2022 by way of an affidavit of Balkar Singh, PPS, Deputy Supdt. of Police, Sub-Division

Malout, District Sri Muktsar Sahib. He refers to para-6 of the reply, and the part of the report dated 18.05.2022 which reads thus:-

“On the directions of the Tehsildar, Malout issued vide order No.56 dated 09.05.2022 on the application of Gurkirat Singh son of Jagtar Singh son of Jaswant Singh resident of Bhullar Wala, reached for conducting demarcation at Village Bullar Wala. The attendance of the persons who came present who had been given intimation in advance through Krishan Kumar Chowkidar, was marked separately. The pathars were found at Khasra No.8//25 and 9//25 at eastern and southern corners. The demarcation of the khasra No.36//16 mentioned in the application, was conducted with DGPS Machine through Ram Singh Operator according to which, two karams were found short at northern side. The parties were asked that if they have any objection, they can raise the same before the learned court of Tehsildar, Malout within then days.”

Once the allegations have been found to be false, as per the demarcation, the land falls within the share of respondent No.5, therefore, the trees that were cut were within the land which fell in the share of respondent No.5.

Faced with this, learned counsel for the petitioner submits that the present petition has been rendered infructuous. However, liberty be granted to him to avail alternate remedy.

In view of the above, the present petition is disposed of as having been rendered infructuous with the liberty aforesaid.

20.09.2022
Sangeeta

(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No