

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

SR. No.238

CRM-M-34223-2021

Date of Decision:09.05.2022

Gurvinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Fatehjeet Singh, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Sandeep Arora, Advocate
for respondents No.5 to 8.

JASJIT SINGH BEDI, J.

The present petition has been filed under Section 482 Cr.P.C. for issuance of directions to the official respondents to take action against the private respondents for causing injuries to the petitioner and his family members. A further prayer is made not to trespass into and damage the common land owned by the petitioner and private respondents even after a status quo order has been passed by the learned civil court.

Learned counsel for the State submits that vide order dated 14.12.2020, the proceedings under Sections 107/151 Cr.P.C. were initiated against both the parties. He further submits that in terms of the judgment rendered in **Sakiri Vasu V. State of U.P., 2008 AIR (SC) 907**, the petitioner would be at liberty to approach the Illaqa Magistrate to avail his alternative remedy under Section 156(3) Cr.P.C.

A reply has been filed on behalf of respondents No. 5, 7 and 8 and the same is taken on record.

The learned counsel for respondents No.5, 7 and 8 submits that security proceedings under Section 107/151 were initiated against both the parties. He submits that the dispute between the parties is of civil nature and a suit is already pending between the parties before the Civil Court at Jalandhar. He also submits that a criminal complaint has also been filed by the respondent No.7.

In view of the abovesaid facts, when the dispute is between family members and a civil suit is pending between the parties, the present petition is disposed off with the liberty to the petitioner to avail his alternative remedies in accordance with law.

Disposed off.

09.05.2022
mks

(JASJIT SINGH BEDI)
JUDGE

Whether Speaking/Reasoned: YES / NO

Whether Reportable: YES / NO