

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

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CRM-M-39884-2022
Date of decision: 15.12.2022

SUMIT KUMAR

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Jagdeep Singh, Advocate for
Mr. Antriksh Sharma, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMAN CHAUDHARY. J.

Instant petition has been filed under Section 482 Cr.P.C. for issuing directions to respondent Nos. 1 to 4 to decide the representation dated 13.06.2021 filed by the petitioner, in a fair and impartial manner, wherein eleven trees from the boundary of agriculture land of the petitioner were cut and sold in the market.

Notice of motion in this case was issued on 06.09.2022, pursuant reply dated 21.09.2022 by way of affidavit of Dr. Mayank Gupta, IPS, Assistant Superintendent of Police, Kharkhoda, Sonipat has been filed by the State. Learned State counsel makes a reference to para No.4 thereof, which reads thus:-

“That thereafter, the disputed land, which is subject matter of the controversy between the parties was demarcated by Halqa Girdawar, Murthal on 20.08.2021. It is further submitted that on the basis of said demarcation report, petitioner moved another complaint dated 24.01.2022 and during enquiry pertaining to the said complaint, it was firstly to be ascertained as to whether any permission has been sought from the Forest Department or

not and accordingly, the said complaint was sent to Forest Department, Sonipat on 18.02.2022 and on receipt of report from the Forest Department, appropriate legal action shall be taken in accordance with law. However, it is submitted that the factum of encroachment over the dispute land has been ascertained after the demarcation of disputed land by Halqua Girdawar, Murthal and after this demarcation only, it had curled out that the land in which the said trees were planted belonged to petitioner, but when the said trees were cut down, the said land in the possession of Chhatar Singh etc. as the said land has been found in their possession by Halqua Girdawar also. ”

In view of the aforesaid, learned State counsel submits that the present petition has been rendered infructuous and may be disposed of as such.

In view of the above, no further orders are required to be passed in the present case.

Petition is disposed of as having been rendered infructuous.

However, liberty is granted to the petitioner to avail of alternate remedy as may be, available to him, in accordance with law.

(AMAN CHAUDHARY)
JUDGE

December 15, 2022
P.Bhatt

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