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

CRM-M-49194-2022 (O&M)

Date of decision: 09.11.2022

Gurdeep Singh

... Petitioner

Vs.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Sunita Nambiar, Advocate
for the petitioner.

Mr. Navneet Singh, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondent No.2-Commissioner of Police, Ludhiana to take action on the complaint dated 10.07.2022 (Annexure P-3), submitted by the petitioner.

Learned counsel for the petitioner submits that respondent No.4 Daljit Kaur, who is mother of the petitioner, has already filed a civil suit for declaration praying for a decree that she be declared owner in possession of the disputed property and the said suit is pending before the Civil Court. In the meantime, mother of the petitioner executed a transfer deed dated 01.02.2021 and the petitioner has already moved an application before the police authorities to remove the illegal possession over the property in dispute.

A perusal of the complaint (Annexure P-3) submitted to the Commissioner of Police, Ludhiana reveals that the order of status quo is already passed on 29.07.2022 in the aforesaid civil suit.

On the face of it, it is a civil dispute, where an order of status quo is in existence passed by the Civil Court, therefore, the police authorities have no power to decide as to whether a person is in illegal possession or not.

In view of the above, present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

09.11.2022
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No