

2024:PHHC:059271

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CRWP-3689-2024
Date of decision : 29.04.2024

Gurpal Singh Petitioner

versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. ADS Jattana, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Arshdeep Singh Brar, Advocate
for respondents No.6 and 7.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Article 226/227 of the Constitution of India seeking direction to respondents No.1 to 4 to protect life and liberty of the petitioner who apprehends threats at the hands of respondents No.5 to 9.
2. The parties appear to be in the thick of dispute with respect to possession over a land measuring 105 kanal, 13 marlas situated in village Phullukhera, Tehsil Malout. Admittedly, Mithu Singh @ Jagnandan Singh was the owner in possession of the said property. Respondent No.6-Gurpreet Singh asserts his possession thereon on the basis of written agreement claiming that he is mortgagee in possession. He filed civil suit seeking decree of permanent injunction restraining defendants that includes present petitioner who has been arraigned as

2024:PHHC:059271

defendant No.1. Trial Court while disposing off application under Order 39, Rule 1 and 2 read with Section 151 of the Code granted status quo after observing that the revenue record reveals that Gurpreet Singh was owner in possession of the suit property and the genuineness of the agreement is a matter of trial.

3. Without commenting on the merits of the civil lis, least it may prejudice the trial, present petition is disposed off with the direction to Senior Superintendent of Police, Muktsar Sahib to assess the threat perception to the petitioner and act in accordance with law. While taking decision, he shall bear in mind that there is already an FIR registered against the respondents with respect to attempt to murder of son of the petitioner.

4. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

29.04.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No