



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-2454-2024

Date of Decision:03.09.2024

Narmail Singh

...Appellant

vs.

State of Haryana and Anr.

...Respondents

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : None for the appellant.

Mr. Rajinder Kumar Banku, Deputy Advocate General, Haryana.

N.S.Shekhawat J. (Oral)

1. On the last date of hearing, the SHO Police Station Naggal, Ambala was directed to inform respondent No.2 in writing with regard to the pendency of the present appeal before this Court.
2. Learned State counsel submits that the respondent No.2/ complainant was duly informed in writing, still there is no representation on behalf of respondent No.2/complainant.
3. While passing the interim order dated 16.07.2024, this Court had noticed the following contentions:-

“Learned counsel for the appellant contends that a false case has been got registered by Amandeep Kaur, Sarpanch, Gram Panchayat, Kalavar, Police Station Naggal, District Ambala for allegedly causing obstruction in the process of bids of Panchayati land. He further contends that in fact, on the date of bidding, all the respectables of village were also present and no such incident had happened. Even, several persons from the village had sworn from their affidavits before the police to that effect. He further contends that the allegations have been levelled by the complainant with some ulterior motive. In fact, the appellant and other co-accused, who are co-sharers of village Kalavar had filed a petition under Section 13A of the Punjab Village Common Lands (Regulation) Act against the Gram Panchayat, Kalavar before the

Court of Deputy Commissioner, Ambala. Since, the interim stay was not granted by the Court, an appeal was filed before the Commissioner, Ambala Division and a status-quo order dated 29.05.2024 was passed. He further submits that in spite of status-quo order, on 03.06.2024, the Sarpanch and her husband had started the auction proceedings regarding the disputed land, even though, the matter was still sub-judice before the Court of Deputy Commissioner and Commissioner, Ambala. Learned counsel further contends that the complainant side is habitual of filing similar complaints and in past also, the complainant party had also moved a complaint against several persons in the year 2022, which was later on withdrawn by them. He further contends that co-accused Gurjant Singh, Prithvi Raj and Sahil Kumar have already been granted the concession of anticipatory bail by the Court of Additional Sessions Judge, Ambala. Even from the allegations levelled in the FIR (Annexure A-1), no offence under Section 3(1) (s) of the SC/ST Act is made out against the present petitioner and the allegations are vague and unfounded. Learned counsel further contends that the appellant is ready to join the investigation”.

4. Learned State counsel submits that the appellant has joined the investigation and is no longer required for further investigation.
5. In view of the above statement made by learned State counsel, the interim order dated 16.07.2024 is made absolute. The appellant shall continue to join the investigation, as and when called by the Investigating Officer. The appellant shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.

03.09.2024

hitesh

(N.S.SHEKHAWAT)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No