

CRM-M-51083- 2024

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

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CRM-M-51083- 2024
Date of Decision: 16.10.2024

Gursahib Singh

....Petitioner

VERSUS

State of Punjab & ors.

....Respondents

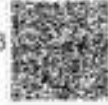
CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. R.S. Bajaj, Advocate,
for the petitioner.

Mr. J.S. Dhaliwal, A.A.G., Punjab.

KARAMJIT SINGH, J. (Oral)

Learned counsel for the petitioner *inter alia* contends that civil litigation with regard to the property in question situated in District Amritsar is already pending in a Civil Court at Amritsar. Both the parties have filed separate civil suits, wherein Civil Court has directed the parties to maintain status quo with regard to the possession over the suit property. It is further submitted that despite the aforesaid order of status quo passed by the Civil Court, the police authorities have compelled and put pressure on the petitioner to hand over the possession of the property in dispute to respondents No.7 and 8. Police authorities have no jurisdiction to interfere in the subject matter in question, which is purely of a civil nature. It is further submitted that respondent No.5 also took forcible signatures of the petitioner on blank papers/blank stamp papers and as such the petitioner is having apprehension that in future the said blank signed documents will be misused by the said respondents No.7 and 8 in connivance with respondents No.5 and 6. It is further submitted that necessary directions be given to

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respondents No.2 and 3 to take action against respondents No.4 and 5 who are misusing their official position and are extending threats to the petitioner to face dire consequences in case he does not hand over the possession of the property in question to the opposite party i.e. respondents No.7 and 8.

Notice of motion.

Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and submits that civil litigation is going on between the parties. Learned State counsel on instructions from ASI Baljit Singh submits that respondent No.3 has already initiated departmental proceedings against respondent No.6 on the basis of the complaint lodged by the petitioner as the said respondent No.6 was found to be misusing his official position in order to help respondents No.7 and 8. He further submits that if there is any threat perception then the same will be looked into by the competent authority at the earliest.

Admittedly, civil litigation is going on between the petitioner and respondents No.7 and 8 and the parties were directed to maintain status quo vide orders Annexures P-3 to P-5 passed by the Civil Courts concerned.

In the light of the above, the petition is hereby disposed of without expressing any opinion on the merits of the case with direction to respondent No.3 to assess the situation and in case there is any such threat perception to the petitioner then to take necessary steps in this regard to protect the life and liberty of the petitioner. The entire exercise is to be taken up and completed within next three weeks from the date of receipt of

certified copy of this order.

However, it is made clear that any observation made in the present order will be having no bearing on the civil litigation which is going on between the parties. However, learned counsel for the petitioner is at liberty to move appropriate application before the Civil Court concerned seeking efficacious remedy available to him under the law.

16.10.2024

monika

Whether speaking/reasoned

Whether reportable

(KARAMJIT SINGH)

JUDGE

Yes/No

Yes/No