

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-5193-2024 in/and
CRM-M-56862-2023
Date of Decision:08.02.2024

Joginder Kumar and another ...Petitioners
Vs.
State of Haryana and others ...Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present: Mr. Ankit Kamboj, Advocate for
Mr. Munish Mittal, Advocate
for the applicant-petitioners.

Mr. Vipul Sherwal, Assistant Advocate General, Haryana.

N.S.SHEKHAWAT, J. (Oral)

The petitioners have filed the present petition under Section 482 Cr.P.C. with a prayer to direct the respondents No.4 to 7 not to interfere in the physical possession of the property of the petitioners without following the due process of law.

Vide the order dated 15.11.2023, this court had directed the Superintendent of Police, Karnal to examine the grievances raised in the instant petition by calling all the relevant records. He was further directed to associate both the parties during inquiry. After holding the inquiry and associating both the sides, a para wise reply has been filed by way of affidavit of Superintendent of Police, Karnal.

Learned State counsel submits that in the present case, the matter has been examined personally by Superintendent of Police, Karnal, in

compliance of the orders passed by this court. He further contends that the petitioners had got registered the three FIRs which are reproduced as under:-

“Petitioner No. 1 had got lodged an FIR No 272 dated 16/06/2022 U/S 34,427,447,506 of IPC at P.S. Kunjpura District Karnal by name against 1. Sudhir S/o Sher Singh, 2. Ketan S/o Mange Ram, 3. Sahil S/o Mange Ram, 4. Amarnath S/o Sheoran with the allegations of destroy of his crops grown at Rect. No. 16//3, 4, 6/1, 7/2, 15, 16 situated within the revenue estate of Village Modipur, District Karnal.

Petitioner No. 2 had got lodged an FIR No. 499 dated 03/11/2022 u/s 34, 427, 506 of I.P.C. at P.S. Kunjpura District Karnal by name against 1. Sudhir S/o Sher Singh, 2. Sahil S/o Mange Ram, 3. Mange Ram So Mukandar with the allegations of destruction of his crops grown at Rect. No. 16//3, 4, 7/2, 16, 2 of Khewat No(s).82 and Rect. No.9/ 23 of 17 and Rect.No. 16//6/1, 15, 16/1 of Khewat No.5 situated within the revenue estate of Village Modipur, District Karnal.

Petitioner No.1 had got lodged an FIR No.572 dated 29/12/2022 U/S 148, 149, 427, 447, 506, 511 of I.P.C. at P.S. Kunjpura District Karnal by name against 1. Sudhir S/o Sher Singh, 2. Sahil S/o Mange Ram, 3. Sarvan S/o Lal Singh with the allegations of destroying of his crops grown at Rect. No. 16 comprised in Khewat No.82 and 5 of Hadbast No. 57 situated within the revenue estate of Village Modipur, District Karnal”.

Learned state counsel further submits that no truth has been found in the allegations levelled by the petitioners and a cancellation report has been prepared in all the above said FIRs. He further contends that the matter is already pending before the Civil Court and police shall not interfere with the physical possession of the either of the parties. He further submits that in case any application is received from either party with regard

to the protection of life and liberty, the same shall be dealt with by the local police in accordance with law.

In view of the statement made by the learned state counsel, no further orders are required and the present petition is accordingly disposed off.

08.02.2024
M.Sikka

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking

:

Yes/No

Whether reportable

:

Yes/No