



137

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

CRM-M-5410-2025

Date of Decision: 30.01.2025

JAGJIT SINGH

....Petitioner(s)

VERSUS**STATE OF PUNJAB AND ORS**

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Simranjeet Singh Sarwara, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab

SANJAY VASHISTH, J. (Oral)

1. The present petition has been filed by the petitioner under Section 528 BNSS, 2023 for quashing of FIR No.195 dated 09.06.2020 under Sections 447, 430, 379 of IPC registered at Police Station Sohana, District SAS Nagar.

2. As per allegations, the land of the Gram Panchayat of Safipur was auctioned on 23.05.2020 in the name of one Jasveer Singh for a period of two years.

3. It is after about two weeks i.e. 07.06.2020, allegedly petitioner namely Jagjit Singh along with 15-20 unidentified persons forcibly ploughed the common land of the village and occupied unauthorizedly by setting a boundaries and planting crops in the land.

4. Learned counsel for the petitioner submits that practically it appears to be an issue of possession only over the Panchayat land, which



could have been decided by filing the relevant application before the Revenue Authority or the Civil Court under Village Common Land Act. He refers to letter No.90 dated 05.01.2022, written to SHO Police Station, Sohana, whereby BDPO, Mohali, has informed that as per Resolution No.1 dated 18.10.2021 of Gram Panchayat, the case pending against petitioner Jagjit Singh is to be withdrawn, till date no action has been taken.

5. Court cannot issue any direction to the SHO concerned to quash FIR merely on the basis of the letter written by the BDPO, Mohali, nor can it decide the question of possession while exercising its power under Section 528 of BNS Act/482 Cr.P.C. Therefore, present petition is disposed of by observing that it would be open for the petitioner to seek required direction for taking of the further steps in pursuance to letter No.90 dated 05.01.2020.

6. In view of the aforementioned, present petition is disposed of.

January 30, 2025
Sangeeta

(SANJAY VASHISTH)
JUDGE

Whether reasoned/speaking:	Yes/No
Whether reportable:	Yes/No