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

CRM-M-5824-2025

Date of decision: 31.01.2025

Bhagwant Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. N.P.S. Mann, Advocate
for the petitioner.

Mr. Subhash Godara, Addl.A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of necessary directions to respondents No.2 to 5 to register a criminal case under Sections 324/329/351/126/127/61 of BNS, 2023 (Sections 425/447/448/503/341/340/120-B of IPC) and other relevant sections against respondents No.6 to 10 for attempting to take forcible and illegal possession of the plot belonging to the petitioner.

Learned counsel for the petitioner *inter alia* contends that the petitioner is an NRI and living in Germany and visits India in order to take care of his properties situated in village Cholti Kheri, Tehsil and District Fatehgarh Sahib and other properties as well. It is further submitted that one Karam Singh and Bhupinder Singh purchased a residential plot measuring 672 square yards vide sale deed bearing No.3639 dated 30.07.1996 duly registered with the Sub Registrar, Patiala (Annexure P-1) and vide sale deed bearing No.5004 dated 07.08.1996 (Annexure P-2). Since, Bhupinder Singh was having no child, after his death, the half share of the above said plot measuring 672 square yards was transferred to the name of his adopted son Imanvir Singh and mutation No.10606 was sanctioned in favour of him, who become the owner in possession of the half share of the above said plot. Thereafter, the petitioner purchased this residential plot measuring 671.50 square yards from the said



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Imanvir Singh. The petitioner has purchased the said plot by way of registered sale deed dated 24.11.2020 which was duly registered before the Sub Registrar Patiala vide document No.2020-21/11/1/8303 dated 24.11.2020 by the Sub Registrar, Patiala (Annexure P-3). On the basis of the said sale deed, the petitioner became the owner in possession of the property and the mutation No.10800 was sanctioned in favour of the petitioner and the entry regarding the same was duly made in the *jamabandi* for the year 2018-19 (Annexure P-4). Thereafter, Karam Singh also died and the adjoining plot of the petitioner was transferred to respondent No.6-Baljinder Kharaud wife of late Karam Singh and this plot was being taken care by her father i.e. respondent No.7, namely, Naseeb Singh. Thereafter, in the year 2022, respondents No.6 & 7 in connivance with respondents No.8, 9 & 10, forcibly and illegally tried to take the possession of the plot which belongs to the petitioner and also tried to raise illegal construction over the said plot. Thereafter, the petitioner has filed civil suit No.574 of 2024 titled as 'Bhagwant Singh Vs. Baljinder Singh and others' for permanent injunction in which, the learned Civil Judge passed an interim order dated 23.08.2022 (Annexure P-5) restraining the respondents from changing the nature of the said property till the final decision of the suit which is pending till date. In the month of August, 2022, when the petitioner visited India, he came to know that respondents No.6 & 7 accompanied by about 40-50 unidentified persons armed with sticks and sharp edged weapons and other arms and ammunitions, entered forcibly into the plot of the petitioner and when petitioner came to know about this, he reached at the spot and tried to refrain the above said persons from raising any type of construction but the petitioner was threatened by them with dire consequences. Consequently, the petitioner has made an application dated 05.09.2022 (Annexure P-7) to respondent No.3 but no action has been taken so far.

Learned counsel for the petitioner further submits that the petitioner would be satisfied in case a direction is issued to respondent No.4-Senior Superintendent of Police, Fatehgarh Sahib (wrongly mentioned as Patiala) to consider and decide the application dated 05.09.2022 (Annexure P-7) submitted by the petitioner in a time bound manner.

Notice of motion to the official respondents only.



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Mr. Subhash Godara, Addl.A.G., Punjab, puts in appearance and accepts notice on behalf of the official respondents-State and copy of the petition has been supplied in the Court.

Keeping in view the prayer made by the petitioner and without commenting anything on the merits of the case, the present petition is disposed of with a direction to respondent No.4-Senior Superintendent of Police, Fatehgarh Sahib to consider and decide the application dated 05.09.2022 (Annexure P-7) submitted by the petitioner and take appropriate steps including grant of any protection to the petitioner in view of the apprehension, if any, within a period of four weeks from the date of receipt of certified copy of this order, in accordance with law.

(HARPREET SINGH BRAR)
JUDGE

31.01.2025*Neha*

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