



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-23895-2017(O&M)

Date of Decision:-02.09.2025

Irfan Khan.

.....Petitioner.

Vs.

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Saniv Gupta, Advocate for the Petitioner.

Mr. Aaditya Pal Singla, AAG Haryana.

Mr. Lajpat Rai Sharma, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in the petition under Section 482 C r.PC is for quashing of the impugned order dated 17.06.2014 (Annexure P-8) passed by Sub Divisional Magistrate, Samalkha as well as the order dated 11.01.2017 (Annexure P-10) passed by Additional Sessions Judge, Panipat vide which the proceedings under Section 145 Cr.PC have been dropped.

2. The Counsel for the petitioner contends that the aforementioned orders are illegal and based on improper appreciation of the material on record. Therefore, they are liable to be quashed and a receiver be appointed after attachment of the property under Section 146 Cr.PC.

3. The Counsel for the respondent on the other hand contends that after detailed examination of the material on record, the Calendra was ordered to be withdrawn vide order dated 17.06.2014 (Annexure P-8) which



order has been passed by SDM, Samalkha and further the same has been upheld in revision petition by the court of Additional Sessions Judge, Panipat vide order dated 11.01.2017 (Annexure P-10).

4. I have heard counsel for the parties.
5. The relevant extract of the order dated 17.06.2014 is reproduced hereinbelow:-

“ After hearing the arguments of both the parties and on of the careful perusal record produced on the file, I have reached to that Jamabandi SO the conclusion produced by the second party during the arguments by the second for the year 1996-97, after that no any other documents have been produced from which it could be clear that he is in cultivation possession the disputed land whereas Naib Tehsildar, over Bapoli in his reports SO submitted has In mentioned that Ist party is in cultivating possession over the land in dispute. such a situation, the question of attaching the land in dispute under Section 146 Cr.P.C. does not arise. Under such circumstances, the Kalendra so prepared by the Police Station, Bapoli is dismissed and the order dated 10.12.2013 under Section 145(1) passed by this court are herewith withdrawn. SHO Police Station, Bapoli is directed to ensure implementation of the orders passed by the Hon'ble High Court. File be consigned to the record room after compliance.”

6. The aforementioned order has been affirmed by the Revisional Court vide order dated 11.01.2017 (Annexure P-10).
7. It has also been brought to the notice of this Court that Civil Proceedings regarding the land in question are pending adjudication in this Court vide RSA No.2223 of 2007.
8. In view of the above, I find no merit in the present petition and the same stands dismissed.

(JASJIT SINGH BEDI)
JUDGE

September 02, 2025
Vinay

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