



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

CRWP-5557-2023

Date of Decision: 21.04.2025

Davinder Singh

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

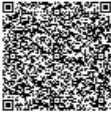
Present: Mr. Gurdarshan Singh Sidhu, Advocate, for the petitioner.
 Mr. J.S. Arora, DAG, Punjab.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is issuance of direction to respondents No.1 and 2 to ensure the protection of life and personal liberty as enshrined under Article 21 of the Constitution of India which is endangered at the hands of official respondent No.3 and private respondent No.4 to 6.

It has been *inter alia* contended by learned counsel for the petitioner that the petitioner is the owner in possession of the land in dispute as is evident from the order passed by learned Civil Judge (Jr.Divn.), Patiala dated 17.09.2022. He has submitted that the petitioner filed an application under Order 39 Rule 1 & 2, which was allowed by the trial Court by virtue of the order dated 17.09.2022. He submits that despite there having been injunction order, respondent No.3 is trying to dispossess the petitioner from his legally entitled possession. He submits that it is because of the same, life and liberty of the petitioner is under threat.

However, on the other hand, learned State counsel has drawn the attention of this Court to the status report filed by way of affidavit of Ankurdeep Singh, Sub Inspector posted as Station House Officer, Police Station Passiana,



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District Patiala. He has submitted that dispute is between both the parties on account of which FIRs are registered and the same are pending trial. He submits that preventive actions have been taken only in order to restore the law and order. He submits that no action to disregard the order passed by the Court would be taken by the respondent-State.

In view of the submissions made above, the present petition is disposed of with a direction to the respondent-State to ensure the protection to the life and liberty of the petitioner. The parties are at liberty to pursue their remedy before the concerned trial Court. However, petitioner is at liberty to avail his remedy in case any further cause of action accrues to him. It is being clarified that this order shall not be taken to grant immunity to the petitioner for legal action for violation of law, if any, committed by him.

(RAJESH BHARDWAJ)
JUDGE

21.04.2025
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No