

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-27102-2025 (O&M)

Date of Decision: 19.05.2025

Charanjit Singh & Ors.

... Petitioners

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. Jaspreet S Brar, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

(1). This petition under Section 528 BNSS has been filed by the petitioner seeking a direction to the respondent No.2 i.e. ADGP Crime to decide the Representation dated 23.04.2025 (Annexure P-7) submitted by them with a request to take action against the private respondents No.6 to 9 after getting the inquiry conducted by an officer in the rank of SP from outside District Ferozepur with regard to the theft of wheat crop committed by respondents No. 6 to 9 under the protection of respondent No.4 on land measuring 12 Acres 3 Kanals duly purchased by the petitioners vide sale deeds in the year 2019.

(2). Learned counsel for the petitioners submits that while apprehending the unlawful intentions of the private respondents, the petitioners had already approached this Court vide CRM-M-18315-2025, which was disposed of vide order dated 03.04.2025 (Annexure P-5) with a direction to the SSP, Ferozepur to pass a speaking order qua the representations i.e. Annexures P-2 to P-4 but no immediate step was taken by the respondents No.3 and 4.

(3). It is alleged that despite the petitioners' legitimate ownership of the land, purchased with their hard-earned money, the private respondents have brazenly stolen their wheat crop, however, respondents No. 3 to 5 have failed to take action, citing the possession of respondents No. 6 and 7 as per the Khasra Girdawries for 2022-2025. This inaction is arbitrary and violates the principles of natural justice, equity, and fair play, especially considering the petitioners' bonafide purchase and cultivation of the land, as is evident from the Khasra Girdawries (Annexure P-9).

(4). Having heard learned counsel for the petitioners, it appears that the petitioners have cultivated the wheat crop on the land and the respondent Nos.6 to 9 being family members of Amandeep Kaur wife of Simranjit Singh are unnecessarily interfering in the peaceful possession of the petitioners allegedly for the reason that they allegedly want to purchase the land. It is the case of the petitions that the land as described in the representation (Annexure P7) is partitioned and everyone is in possession of their respective share of land. The petitioners have made various representations to the police authorities but no any action is taken pertinently due to its civil rather than criminal liability and for that matter, it would be solely the civil court where the jurisdiction lies to resolves the issues involving land and their shareholders.

(5). In the present case, the petitioners have raised disputed questions of fact which necessarily cannot be adjudicated in this jurisdiction under Section 528 BNSS by this Court. It would thus be in the interest of justice if the parties are relegated to avail alternate remedy before the civil court by way of filing a civil suit for possession.

(6). In view of the above discussion, this petition is dismissed, however, with liberty to the petitioners to avail remedy as may be available to them in law.

(7). Ordered accordingly.

19.05.2025
V.Vishal

(Sandeep Moudgil)
Judge

- 1. *Whether speaking/reasoned?*
- 2. *Whether reportable?*

Yes/No
Yes/No