



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

116

CRWP-6192-2026
Date of decision: 26.05.2026

JOGINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Ankit Bhardwaj, Advocate with
Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed for seeking issuance of directions to respondents No.2 and 3 to protect the life and liberty of the petitioner and his family members which is alleged to be danger at the hands of respondents No. 5 to 8 (wrongly mentioned as respondents No. 4 to 8 in the headnote and prayer clause of the petition). The said respondents No. 4 to 8 are private respondents.

2. Counsel for the petitioner fairly contends that the petitioner is the owner of land measuring 14 acres in Village Dallake, Sub Tehsil Lopoke, District Amrtisar and has been cultivating the same since long. Respondents No. 5 to 8 have no right title or interest over the said land and that respondents No. 5 had initially taken the aforesaid land on lease in the year 2015 @ Rs. 50,000/- per acre from the petitioner which remained continued upto January 2021 but never paid the contractual amount as

agreed and made lame excuses on one pretext or the other for non-payment. Thereafter, the respondent No.5 forged and fabricated an agreement to Sell dated 10.12.2020 in his favour and filed a Civil Suit No. 200 of 2022 for possession by way of specific performance before the Civil Court at Ajnala. The petitioner taken specific pleading that no such agreement was ever executed by him. A joint statement has been made on 03.04.2026 where both parties along with their Counsel agreed that they have no objection if the ad interim stay application be disposed of after directing the parties to maintain the status quo regarding possession and alienation of the suit property till final decision of the case. Accordingly, a status quo regarding possession and alienation of the suit property was ordered to be maintained till the final decision of the case. Counsel for the petitioner contends that notwithstanding the aforesaid status quo, respondent No.5 sold the land and alongwith others has been repeatedly threatening the petitioner and his family members and has tried to take forcible possession of the land qua which contempt proceedings have already been initiated. He further contends that the petitioner is in actual physical cultivating possession of the land and wanted to cultivate the property, however, he was not being allowed to do so and was forcibly restrained by the private respondents.

3. Counsel for the petitioner had been specifically asked to refer to any document available on the Court file on the basis whereof his prima facie cultivating possession over the suit land may be established. Moreover, even as per the admitted case of the petitioner himself, the land in question had been given on lease to respondent No.5 in the year 2015; however, there is no averment or material on record to show as to when and in what manner the possession thereof was taken back from respondent No.5. Besides, when

specifically asked as to whether any valid revenue record, viz. Khasra Girdawari, is available to establish the cultivating possession of the petitioner over the land in question, learned counsel is not in a position to refer to any such document.

4. Counsel further contends that notwithstanding the respondents having sold the land to a third party in breach of an order dated 03.04.2026, the respondent No.5 has still been threatening the petitioner. A specific query has been put to the Counsel for the petitioner as to what were the circumstances in which the respondent No.5 would have any subsisting interest once, as per the case of the petitioner himself, the said land had already been sold by respondent No.5 to a third party. Ordinarily, a person who has no subsisting interest over the property would keep his hands away from the control and the interest, if any, is the subsequent purchaser and that there is no such allegation against the subsequent purchaser in the present case as well. It seems that the present petition is not only wholly frivolous but has been filed availing the luxury of litigation thus to clog the already burdened dockets of the Court. Once the basic ingredients with respect to the allegations leveled are not being satisfied, the petitioner being in the nature as above, clearly is an abuse of the process of law. Consequently, the present petition is dismissed with costs of **Rs. 15,000/-** to be deposited with “***Post Graduate Institute of Medical Education & Research***” (***PGIMER***), ***Chandigarh***.

MAY 26, 2026
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No