

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

105

CWP-8899-2023

Date of Decision : March 20, 2025

GURMEJ SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. R.D. Bawa, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

Dr. G.P.S. Randhawa, Advocate
for the respondents No.5 and 7.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for issuance of directions upon the official respondents to protect the life and liberty of the petitioner, and, also to restrain the private respondents from interfering in the harvesting of the petitioner's crops. Moreover, prayer is also made for issuance of directions upon the official respondents to register FIR against the private respondents for forcibly harvesting the petitioner's crops.

2. The learned counsel for the petitioner submits that, despite various status quo orders being passed by the civil court, and, despite stay being granted by this Court in different proceedings, yet the private respondents, in connivance with police officials, not only interfered in the peaceful possession of the petitioner but also harvested the crops sown by

the petitioner.

3. This Court has heard the learned counsels for the parties and also made studied survey of the record. What surges forth from perusal of the record is that, a civil dispute with regard to partition is pending between the petitioner and the private respondents. The partition proceedings have been finalized upto the court of the Financial Commissioner, Punjab, and, a verdict has been rendered in favour of the private respondents. However, the said verdict is assailed before this Court, adjudication whereof is pending. In addition, criminal proceedings are also pending between the petitioner and the private respondents inasmuch as an FIR has already been registered at the behest of the petitioner, against the private respondents, for commission of theft and the said FIR is also pending.

4. The learned counsel for the petitioner has also informed this Court that, contempt proceedings, as initiated under Order 39 Rule 2A of the CPC, are also pending adjudication before the court concerned.

5. In view of the peculiar facts and circumstances of the case at hand, this Court prima facie is of the view that, the present dispute is purely civil in nature. Therefore, in case, the petitioner has any grievance with regard to violation of any status quo order passed by the civil court, he is at liberty to raise this issue before the civil court concerned, through casting an appropriate motion, which according to the petitioner, has already been instituted against the private respondents.

6. Insofar as the issue appertaining to registration of FIR is concerned, the petitioner is also at liberty to approach the Magistrate concerned for redressal of his grievance.

7. In summa, this Court is of the view that, at this stage, the asked for directions are not required to be passed. Hence, the instant writ petition is closed.

8. **Disposed of accordingly.**

March 20, 2025
devinder

(KULDEEP TIWARI)
JUDGE

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