

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:065033



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CRM-M-22294-2025 (O&M)

Date of Decision: 15.05.2025.

Sushil Kumar and another

...Petitioners.

Versus

State of Punjab and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Ravi Chadda, Advocate
for the petitioners.

SUKHVINDER KAUR, J. (Oral)

Prayer in the instant petition filed under Section 528 of BNSS, 2023 is for issuance of directions to the respondent-State to constitute Special Investigating Team (SIT) headed by respondent No.3 for conducting fair, impartial and independent enquiry/investigation through Crime Branch of the State agency in the complaints dated 18.02.2025 (Annexure P5) and 19.03.2025 (Annexure P7), made by both the petitioners to respondent No.4 and 3 respectively in connection with forcible possession of their land, or to transfer these complaints to some other adjacent district.

Learned counsel for the petitioners has contended that Lekh Raj, father of the petitioners filed a suit for permanent injunction against the private respondents for restraining them from interfering and changing the nature of the land by way of paving concrete slab in the land belonging to the petitioner and other adjacent land-holders. Vide order dated 29.01.2025,

learned trial Court confirmed the interim status quo given vide order dated 29.11.2021 and disposed of the application for interim injunction filed by the petitioners. Despite being aware of the aforesaid status quo order, private respondents and Gram Panchayat of village Mangu Mehra illegally started the construction work of street in khasra No.301 which was subject matter of the aforesaid civil suit. He further contended that aggrieved with the same, the petitioners moved application before all the concerned authorities. Legal notice dated 03.02.2025 was also sent to concerned DDPO, BDPO and Sarpanch. Representation dated 18.02.2025 (Annexure P-5) was also moved before concerned SHO. He urged that the private respondents in connivance with the official respondents, have intentionally violated the status quo order by laying down concrete slab over the disputed Khasra No.301 and when they tried to stop them, then they intentionally threw the concrete material on the private land of the petitioners. On 15.03.2025, when the petitioners tried to remove the concrete slab from their own land with the help of JCB, then private respondents inflicted injuries to the petitioners and their family members. He also referred to MLR dated 15.03.2025 of petitioner No.1-Sushil Kumar and matter was reported to the police but concerned SHO denied to take any action. He submitted that the respondents had taken the law in their hands by not only violating the status quo order passed by learned civil Court rather caused multiple bodily injuries to the petitioners and their family members.

During the course of arguments, learned counsel for the petitioner has submitted that he would be satisfied if the representation dated 19.03.2025 (Annexure P-7), which had already been moved before the Senior Superintendent of Police, Hoshiarpur, Punjab is looked into.

Notice of motion.

Ms. Gagandeep Kaur, DAG, Punjab, accepts notice and submitted that she has no objection if the aforesaid representation dated 19.03.2025 (Annexure P-7) is looked into.

In view of the above, the present petition is disposed of with a direction to respondent No.3, to look into the representation and to take appropriate action, if any required at the earliest.

Disposed of.

(SUKHVINDER KAUR)
JUDGE

15.05.2025.

Komal

Whether speaking/reasoned? : Yes/ No
Whether reportable? : Yes/ No