

SHARVAN VS STATE OF HARYANA AND OTHERS

Present: Mr. Ravi Kant Sharma, Advocate
for the petitioner(s).

Mr. Pawan Kumar Jhanda, DAG, Haryana.

1. Today, status report dated 12.05.2023, by way of affidavit of Dharamvir, HPS, Deputy Superintendent of Police (HQ) Sirsa, District Sirsa, on behalf of the respondents No.1 to 3, has been filed by learned State counsel, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

A copy thereof has been handed over to the counsel for the petitioner.

2. From the said status report, counsel for the petitioner while referring the paragraph No.3 & 4 submits that it appears that in fact police is in connivance with the private respondents and are hell bent to help them out. He submits that in fact, petitioner has been approaching the official respondents, time & again but it is falsely averred that petitioner never joined enquiry.

3. Counsel for the petitioner also points out that possession of petitioner has already been admitted in the status report as per statements recorded during enquiry by the police and mentioned in Paragraph No.3 of the status report.

Counsel further submits that some part of the crop is still to be harvested and therefore, respondents be directed not to cause any hindrance in the life and property of the petitioner more for the reason that the possession of the property has already been admitted by the respondents.

4. Undoubtedly, Para No.3 says as under:

“3 That statements of private respondents le private respondent No.4 Nand Lal @ Kalu son of Kanhi Ram, private respondent No.5 Santosh Beniwal wife of Nand Lal, private respondent No.6 Kheta Ram son of Jagdish, private respondent No.7 Suman wife of Kheta Ram and private respondent No.8 Kuldeep son of Kheta Ram were recoded on 07.05.2023. In their respective statements the private respondents have stated there was a dispute between Sharvan/petitioner and Kheta Ram/ private respondent No.6 regarding 3 acres of agricultural land. The said dispute has already been resolved by the villagers and panchayat. At present the land in dispute is in possession of petitioner and he had harvested the wheat crop. They further stated that none of the private

respondents ever tried to dispossess illegally to the petitioner nor any threat was ever given to petitioner by anyone.”

5. From the stand taken in the status report, it is clear that possession of the petitioner on the land in dispute is an admitted position. However, he is apprehensive of any mis-deed at the instance of private respondents, which is allegedly in connivance with the district police.

6. In this view of situation, respondent No.2-Superintendent of Police, Sirsa, is directed to look into the matter and to examine the application/representation dated 10.04.2023 (Annexure P-1) and in case, any substance of allegation of threat to the life and property of the petitioner is found true, same be protected without any delay.

6. Adjourned to 31.07.2023.

(SANJAY VASHISTH)
JUDGE

May 17, 2023
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