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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 10240/2024**

CHANDER BHAN (SINCE DECEASED) THROUGH LRS & ORS.
.....Petitioners

Through: Mr. Sanjeev Ralli, Sr. Adv. with Mr.
Mohit Mudgal, Mr. Chetanya Baweja,
Mr. Ravi Kant Yadav, Mr. Praful
Nawani, Advs.

versus

STATE GOVT. OF NCT OF DELHI AND ORS.Respondents

Through: Mr. Hitesh Vali, APP for the State.
Mr. Ajay Bansal, Adv. for
respondents no. 4-A, B, C, D(i) (ii),
E, F, G, H & J

CORAM:
HON'BLE MR. JUSTICE RAVINDER DUDEJA

% **ORDER**
23.04.2025

CRL.M.A. 9596/2025 (FOR URGENT DIRECTIONS)

1. Notices are duly served to the respondents through attorney/counsel.
2. The present application has been filed with the following prayer:
“Allow the Petitioners to harvest the agriculture crop standing on the land the in question and to grow the next crops on the said land during the pendency of the present Petition, subject to deposit of the profit, if any, to the Tehsildar/ SDM, Naya Bans, Narela, Delhi;”
3. Learned senior counsel for the petitioners seeks directions for harvesting of the standing crop and growing the next crop on the land in



question under the supervision of Tehsildar and subject to the deposit of money/profit generated from the sale of the crops by way of fixed deposit in the name of SDM, Naya Bans, Narela.

4. This, according to learned senior counsel would preserve the existing crop standing on the land in the property and would enable the growing of future crops for the next season.

5. Learned counsel draws the attention of this Court to a similar order dated 18.03.2023 passed by the learned Sessions Court, Rohini during the pendency of the proceedings in Criminal Revision Petition 114/2021. The relevant portion of such order is extracted below:

"In the larger interest of justice and given the present facts and circumstances, the order dated 27.01.2023 is further clarified with the direction to the Area SDM that he may appoint a Receiver not below the rank of Tehsildar to supervise the harvesting process of the alleged crops by the respondents and the money generated from the sale of the produce, be deposited by way a Fixed Deposit by the respondents in the name of the SDM which shall be released to the rightful claimant after the final disposal of the present revision petition and determination of the rights of the parties with regard to the possession of the aforesaid disputed land."

6. By orders dated 24.12.2024 passed in Crl. M.C. 10240/2024, the SDM has been directed to postpone the hearing of the proceedings under Section 145 Cr.P.C. As such, the said proceedings have been kept in abeyance and there is no likelihood of conclusion of the said proceedings in near future.

7. Learned counsel for the respondents states that permission was granted by learned Sessions Court only for the limited purpose of removal/harvesting of the already grown crops and for no other purpose, and therefore, petitioners may not be granted any permission to further harvest the land.



8. For the purpose of protecting the already grown standing crop on land, and to ensure that the crop does not go waste, in the interest of justice, the application is allowed with similar directions to the area SDM to appoint receiver to supervise the harvesting process of the crop standing on the land and ensure that the money earned by the respondent from the sale of the crop be deposited by way of fixed deposit in the name of the area SDM which will be released to the rightful claimant subject to determination of rights of the parties with regard to the possession of disputed land.

9. The learned Senior Counsel submits that petitioners are in possession of land and it is the petitioners who had grown crops over the same in previous year and therefore may be allowed to grow the next crop, otherwise the land would lie waste.

10. SDM, Narela, Naya Bans, vide order dated 27.10.2021 directed that possession of land under Khasra No. 32/27 (8-01) and 32/28 (4-4) situated in the revenue estate of village Auchandi be restored back to petitioners (Bhumidars). That being so, coupled with the fact that previous crop was also grown by the petitioners and for better utilization of land, petitioners are permitted to grow the next crop.

11. The application is accordingly disposed of in terms of the aforesaid order.

CRL.M.C. 10240/2024 & CRL.M.A. 39239/2024 (INTERIM ORDERS)

List on 28.08.2025.

RAVINDER DUDEJA, J

APRIL 23, 2025/ib