

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

Date of decision:14.10.2015

Abdul Razak

.....Petitioner

v.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Jagmohan Singh Bhatti,Advocate for the petitioner

Jaswant Singh,J.(Oral)

This is the second petition for identical relief.

Petitioner-Abdul Razak has filed the present petition under Section 482 Cr.PC for seeking protection of life, liberty and property for himself and his family, who have allegedly been threatened by his own brother and others impleaded respondents.

It is not in dispute that a similar petition seeking identical relief was earlier filed by the petitioner bearing CRM-M 28626/2015 which was dismissed as withdrawn, vide order dated 4.9.2015, to enable the petitioner to seek his remedy in accordance with law. For ready reference the order dated 4.9.2015 reads as under:-

“Petitioner is stated to have been inflicted serious injuries by his two brothers Mohd.Ilyas and Abdul Sattar on the intervening night of 11th and 12th July 2015. It is further averred that said brothers thereafter falsely put up a cross version in FIR No.65 dated 17.7.2015 registered against them under Sections

RAJINDER PRASHAD JOSHI
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I attest to the accuracy and
authenticity of this document
High Court, Chandigarh.

323,325,427,34 IPC on the complaint of the petitioner. It is averred that two brothers are influential and living in same joint compound and therefore, prayer for directing official respondents to protect the life and liberty of the petitioner and his family.

After arguing for sometime and having failed to convince the Court, learned counsel seeks permission to withdraw the present petition to enable the petitioner to seek his remedy in accordance with law.

Dismissed as withdrawn with liberty aforesaid.”

In the present second petition there is only a passing reference in para 14 to earlier CRM-M 28626/2015. It would be further evident that the earlier petition was filed by the present counsel. Thus, second petition is not at all maintainable and in fact amounts to abuse of process of the Court.

Accordingly, the present petition is dismissed with costs of Rs.10,000/- (Rupees ten thousand only) to be deposited with District Legal Service Authority, Sangrur within two months from today failing which the same shall be recovered as arrears of land revenue by the Member Secretary, District Legal Service Authority, Sangrur.

14.10.2015.
joshi

(Jaswant Singh)
Judge