

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

CRM-M-10579 of 2015.
Decided on:-23.09.2016.

Jai Bhagwan.

.....Petitioner.

Versus

State of Haryana and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to the respondents No.1 to 3 to protect the life and liberty of the petitioner at the hands of private respondents No.4 to 9.

Reply by way of affidavit of Rajesh Kumar, HPS, DSP (HQ), Karnal has already been filed on behalf of respondents No.1 to 3. It has been submitted in the preliminary submissions of the said reply that a case bearing FIR No.48 dated 20.2.2013 under Sections 323, 452, 376 and 511 read with Section 34 IPC was registered against petitioner Jai Bhagwan at Police Station Taroari, District Karnal on the basis of statement made by respondent No.4 Pooja Devi. After registration of the said FIR, investigation was conducted and the police had collected sufficient incriminating evidence

against the petitioner and, accordingly, he was arrested.

It has further been mentioned in the said reply that after completion of the investigation, the Challan was presented in the Court and after conclusion of trial, the petitioner was convicted by learned Additional Sessions Judge, Karnal vide judgment dated 6.2.2013 and was awarded imprisonment for two years and fine of Rs.25,000/-.

Learned State counsel submits that on the representation/ complaint submitted by the petitioner to the concerned police authority, an enquiry was conducted. The allegations levelled by the petitioner in the said representation were found untrue and the said representation was filed. The petitioner has not challenged the said enquiry report.

I have heard learned counsel for the parties.

The petitioner has very safely concealed the factum of abovesaid FIR registered against him which had resulted into his conviction and sentence. The concealment of material facts disentitles the petitioner to file the present petition. Therefore, this Court is of the considered view that the present petition is totally frivolous and misconceived and the same is, accordingly, dismissed.

September 23, 2016

Yag Dutt

**(HARI PAL VERMA)
JUDGE**

Whether speaking/reasoned:

Yes / No

Whether Reportable:

Yes / No