

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

CRM-M-25209-2016 (O&M)

Date of decision: 04.11.2016

JASMINE

...Petitioner(s)

Versus

STATE OF HARYANA AND ORS

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Vivek K. Thakur, Advocate
for the petitioner (s).

Mr. Neeraj Poswal, AAG, Haryana
assisted by SI Sandeep Kumar

Mr. Shakti Kaushik, Advocate for
Ms. Divya Jerath, Advocate
for respondent No.5.

Jitendra Chauhan, J. (Oral)

Present petition has been filed under Section 482 of the Code of Criminal Procedure for issuance of direction to respondent Nos.1 to 4 to hand over the investigation of case FIR No.99 dated 04.04.2016 registered under Sections 420, 467, 468 and 471 of the Indian Penal Code to some senior IPS officer or to any other independent investigating agency as the accused got forged and fabricated Matriculation Certificate for contesting the election of Panchayat Samiti.

Reply on behalf of respondent Nos.1 to 4 has been filed in the Court, is taken on record.

The petitioner contested and lost the election against respondent No.5. The certificate in question was allegedly issued by respondent No.6. However, as per the reply, during the investigation it has come to notice that Board of Secondary Education Maharashtra is not affiliated or recognized by Secondary and Higher Secondary Board Pune or the State Government. At this stage, the learned counsel for the petitioner, on instructions, seeks to withdraw the present petition. It appears that the petitioner has compromised the matter with respondent No.5 for certain consideration. There is no explanation made by the petitioner as to why she filed the present petition and the reasons of withdrawal thereof. Therefore, this Court feels that the petitioner has not approached this Court with clean hands. In these circumstances, this Court is inclined to impose costs amounting to ₹20,000/- upon the petitioner to be paid to the State within three months from the date of receipt of certified copy of this order.

Ordered accordingly.

04.11.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No