

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

**Criminal Misc. No. M-36008 of 2016
Date of Decision:-18.11.2016**

Samshuddin

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present:- Mr. Mohd. Arshad, Advocate
for the petitioner.

HARI PAL VERMA J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuing direction to the official respondents No.2 and 3 to transfer the investigation of FIR No.170 dated 2.11.2013, under Sections 302, 201 read with Section 34 IPC, registered at Police Station Hasanpur, to CBI or some other independent agency.

The record reveals that the petitioner has earlier also filed a similar petition before this Court bearing No. CRM-M-8013 of 2015 titled 'Shamsuddin vs. State of Haryana and others', but interestingly this fact has been concealed in the present petition which is supported by an affidavit of the petitioner. Para 10 of the petition reads as under :-

“10. That the petitioner has not filed any such or similar petition either in this Hon'ble Court or in the Hon'ble

Supreme Court of India, except the present one.”

When confronted with this fact that the petitioner has already approached this Court for the similar relief, learned counsel for the petitioner states that he be permitted to withdraw the present petition.

Since the petitioner has tried to over-reach the process of law by making intentional concealment of facts, the present petition is dismissed, however subject to payment of costs of Rs.5,000/- to be deposited with the Haryana State Legal Services Authority, Chandigarh, within 15 days from today.

The Registry is directed to put up this case for compliance, on 7.12.2016.

November 18, 2016
Vijay Asija

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No