

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

CRM-M-1628 of 2016

Date of Decision: 22nd September, 2017

Maan Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Petitioner in person.

Mr. H.S. Grewal, Addl. A.G. Punjab.

FATEH DEEP SINGH, J.

Even after having attained Post Graduation in Political Science and, thereby, having been bestowed with sufficient education as per Right to Education enshrined under Article 21-A of the Constitution of India and, thus, has the minimum necessary good quality of education. At this stage of life, in spite of the fact as is admitted belonging to Police Officer's family who at the time of his death was holding the rank of Deputy Superintendent of Police in PPS Cadre with enormous immovable property by way of agricultural land the petitioner appears to be still dissatisfied over his legacy.

The petitioner before this Court, who has sought to invoke the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure (in short, 'the Code') seeking aid against his pseudo exploitation being from Rai Sikh community is still totally disillusioned, disheartened over what the Lord has gifted upon him since the time of his

birth and, thus, cannot hide under denial of legitimacy of being discriminated on account of religion, race, caste etc. in terms of Article 15 of the Constitution of India or who is denied in any manner equality before law in view of the provisions of Article 14 of the Constitution of India as nothing is reflective that there is any lack of absolute equality qua him vis-a-vis the society at large. Not only this, the equality which has brought about through Article 29 of the Constitution of India by way of protection and interest of minority and its denial is not in any manner discernible from what has sought to be pleaded and canvassed by the petitioner in person before this Court. Though, at time he has sought to hide behind the facade of Articles 21 and 21-A by flimsy complaining of protection of his rights to life and personal liberty, nor there is any question of his arrest and detention which is sufficiently protected by Article 22, but still the petitioner has sought to assail before this Court his disgruntles. What is there highlighted in his pleadings in this petition which precisely leads not to any tangible conclusions, what he is demanding before this Court and rather what one can assume in spite of best endeavour is his so-called plight and desire of extending sympathies to him is his ultimate prayer of being bestowed upon with a status of a VIP.

In his lengthy petition which is vague and ambiguous, the petitioner has highlighted, how he had been through various petitions and how his family has suffered by unfortunate and untimely death of his father, two of his relatives in circumstances which has no relevancy with the law and order situation or is in any manner attributable to the act and conduct of the State or its functionaries.

The State in its rejoinder by way of reply to his petition

by way of an affidavit of Daljit Singh, PPS, Deputy Superintendent of Police, Sub Division, Kapurthala, District Kapurthala which cannot be refuted by the petitioner by any means, it bears out by virtue of Annexure R/1 that unfortunately father of the petitioner during his service has passed away a natural death for which none is claimed to be responsible. His grouse, if any, to protect his property is within the ambit of either a Civil Court or through Revenue Court whichever recourse he may like to choose and it was at his behest the Court has acceded to his prayer in registration of criminal cases as well as granting anticipatory bail in proceedings under Section 182 IPC. Even learned State counsel has conceded at bar that he has failed to understand what the petitioner wants from the respondent/State or what his grouse is except that he wants to be considered a very important person in the society for which neither this Court nor State can in any manner come to his rescue through the present petition. The petitioner through apparent legal assistance which is obvious from his pleadings and arguments has cited *State of Gujarat vs. Turabali Gulam Hussain AIR 2008, SC 86; Suganthi Suresh Kumar vs. Jagdeeshan AIR (2002) SC 681; Disha Vs. State of Gujarat, JT (2011) 7 SC 548; Ashok Kumar Todi vs. Kishwar Johan and others JT (2011) 3 CS 50; Narmada Bai vs. State of Gujarat J.T. (2011) 4 SC 279, Rajender Singh Pathania vs. State of NCT of Delhi and others (2011) INSC 710 dated 12.08.2011; Simranjit vs. Union of India (1993) 1, UJ SC 32, 4 SCC 653; Moses Willson vs. Kasturba AIR (2008) SC 379; Satvir Singh vs. Baldeva AIR (1997) SC 169 (1996) 8 SCC 593; Inderpreet Singh Kahlon vs. State of Punjab AIR (2006) SC 2571; Union of India vs. Nambudari AIR (1991) SC 1216; State of Haryana vs. Piara (1992) 4*

SCC 118; Comproller vs. Jagannathan AIR (1987) SC 537; Kishore Samrite vs. State of UP and others 2012(6) SC 4435 and Sehajdhari Sikh Federation vs. Union of India and others 2012(1) SC 49 to bring forth to this Court the extra ordinary jurisdiction of this Court, the directions of the Hon'ble Apex Court being binding on all the Courts below and holding of enquiries at the instance of the Court including that by Central Bureau of Investigation, where it deems it imperative to meet the ends of justice but sadly neither the petitioner in his submissions or the pleadings could prevail upon this Court, how there has been exploitation of the petitioner being belonging to Rai-Sikh community or denial of his right to property by any of the State holders nor could by any manner show to this Court how the acts of the respondent/State qua the petitioner is unjust, illegal, malafide and has resulted in any sort of inequality, be it social, legal or otherwise. The facts in the cited ratios do not come to the aid of the petitioner by any means. No doubt, upon hearing the lengthy arguments addressed by the petitioner, the Court has been able to spare much of its time to show sympathy and sufficient consideration of his aggrievement but nothing is there by way of substantial necessity to show indulgence, whereby, could be in a position to exercise its inherent powers by virtue of Section 482 of the Code which powers are to be exercised sparingly and in exceptional circumstances to meet the ends of justice if so demands for which reliance is placed on **State of Haryana and others vs. Ch. Bhajan Lal and others AIR 1992 S.C. 604**

In the light of what has been detailed and discussed above, there is not even an iota of merits either in the pleadings or arguments put forth by the petitioner which could be met out from his case

otherwise as well.

In the light of the same, the present petition stands dismissed. However, this Court refrains itself from imposing exemplary cost to such litigants who have been regularly using such modes as tools of arm-twisting tactics for the already heavily burdened State and the Police Force.

22nd September, 2017
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(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No