

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

CRL. MISC. No.M-3285 OF 2013 (O&M)
DATE OF DECISION : 25th APRIL, 2017

Harpreet Singh

.... Petitioner

Versus

High Court of Punjab and Haryana & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. S. S. Ranghi, Advocate for the petitioner.

Mr. Saurabh, Advocate for
Mr. Vishwajeet Singh, Advocate
for respondents No.2 and 3.

Mr. Daljeet Singh Virk, DAG, Punjab.

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A. B. CHAUDHARI, J. (ORAL)

Heard learned counsel for the rival parties at length.

Following is the prayer in this petition:

Petition under Section 482 Cr.P.C. for the issuance of directions to the respondent No.1 to take appropriate legal action/lodging of the FIR as well as initiate proceedings u/s 340 Cr. P. C. against respondent No.2 and 3 as the respondent No.2 and 3 had filed Criminal Misc. No.M-37473 of 2012 by mis-stating the facts and by filing the false affidavit in this Hon'ble Court during the subsistence of marriage of the petitioner with respondent No.2.

Any other order or direction which this Hon'ble Court may deem fit and proper and the

facts and circumstances of the present case, be issued.

Learned counsel for the petitioner vehemently argued that the order dated 27.11.2012 was obtained by the petitioners by suppression of material facts namely, subsistence of marriage with the petitioner before seeking the said order of protection. He therefore, submits that this Court should entertain this petition and register petition under Section 340 Cr. P. C. and take action against the original petitioners in accordance with law in the original petition bearing CRM-M No.37473 of 2012.

I have perused the order dated 27.11.2012 passed in CRM-M No.37473 of 2012. Perusal of the said order shows that the learned Judge of this Court did not make the order by having any bearing on the said factual aspect. On the contrary reading of the order shows that this Court simply asked the Senior Superintendent of Police, Ropar to look into the matter regarding protection as per the government policy. In any event it is for the Court to initiate the proceedings if at all necessary under Section 340 Cr. P. C. This Court does not think it expedient to do so.

Liberty is reserved in favour of the petitioner to take such steps in accordance with law.

25TH APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>