

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

CRM-M-38480-2018

Date of Decision:04.09.2018

Selcy Goyal and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Gautam Kaile, Advocate,
for the petitioners.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to respondent Nos.2 and 3 to protect the life and liberty of the petitioners with a further direction to respondent Nos.4 and 5 not to interfere in their life and liberty.

Mr. Mohd. Salim, Advocate, has put in appearance on behalf of the petitioners and filed his power of attorney in Court today, which is taken on record.

At this stage, Mr. Vivek Singla, Advocate, has put in appearance on behalf of respondent Nos.4 and 5 and filed his memorandum of appearance, which is taken on record. He has pointed out that the present petition has been filed by concealing true material facts. Petitioner No.2 is already married.

However, when this Court confronted the counsel for the petitioners with this fact, who has earlier put appearance on behalf of the

petitioners, he requests for a pass-over and thereafter, Mr. Mohd. Salim, Advocate, has put in appearance on behalf of the petitioners. He states that no objection from the earlier counsel has been sought. He further states that no doubt petitioner No.2 was married, but the other marriage solemnized by petitioner No.2 has been dissolved and a decree of divorce has been granted.

I have heard learned counsel for the parties.

Averments made in para 5 of the petition which has been supported by an affidavit of petitioner No.2, reads as under:-

“That both the petitioners had been of marriageable age at the time of their marriage and none of them had been married earlier to this marriage.”

The averments made above are contrary to the facts. The petitioner No.2, has not approached this Court with true facts and has rather concealed the facts. Those who approaches the Court with unclean hands have no right to be heard on merits. This Court finds that present petition has been filed by the petitioners while concealing facts.

At this stage, learned counsel for the petitioners seeks withdrawal of the present petition.

Dismissed as withdrawn.

September 04, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No