

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

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CRM-M-21346-2018(O&M)

Date of Order:18.09.2019

Ashok Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner
 Mr. Bhupender Beniwal, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

Counsel for the petitioner is not present.

Present petition has been filed with the following substantive
prayer:-

“i. Petition under Section 482 Cr.P.C. for protection of life and liberty of petitioner in hands of respondents No.5 to 7 and direction to 2 to 4 to save petitioner and his family from harassment and save petitioner from false implication in false cases, as detailed representation move to respondent no.2 on dated 12.05.2018 (Annexed as annexure P-1), in the interest of justice.”

Reply by way of affidavit has been filed in which it has been stated that the petitioner is involved in several criminal cases and he is wanted by the Police in FIR No.102, dated 05.07.2017 and FIR No.02, dated 08.05.2018. Paragraphs 2 and 3 of the affidavit are extracted as under:-

“2. That it is submitted that the petitioner is involved in some criminal cases as per detail given below:-

(i) FIR No.102, dated 05.07.2017, u/s 307, 353, 186, 342, 427, 379-B, 148, 149 IPC u/s 3 Prevention of Damage to Public Property Act P.S Sadar Fazilka,

District Fazilka (The petitioner was nominated vide rapat No.38, dated 05.07.2017). copy of the said FIT is annexed herewith as Annexure R-1/T.

Status- The petitioner is yet to be arrested. The challan is presented in the learned court against co-accused only.

(ii) FIR NO.02, dated 08.05.2018, u/s 341, 506, 323, 34 IPC, PS Khui Khera, District Fazilka . Copy of the said FIR is annexed herewith as Annexure R-2/T.

Status-The petitioner is yet to be arrested.

(iii) FIR No.67, dated 25.04.2018, u/s 61, 1, 14 Excise Act, PS City-I, Abohar, District Fazilka.

Status-The petitioner is not arrested so far.

(iv) FIR No.95, dated 30.10.2017, u/s 18, 61, 85, NPS Act, PS Khuian Sarwar, District Fazilka

Status-The petitioner is on bail.

It is pertinent to bring to the kind notice of this Hon'ble Court that the son of the petitionr namely Prince is also involved in the aforesaid FIR No.02, dated 08.05.2018 u/s 341, 506, 323,34 IPC, P.S. Khui Khera, District Fazilka.

3. That while the petitioner is required by the police of P.S.Khui Khera, District Fazilka, in aforesaid FIR No.102, dated 05.06.2017 and FIR No.02, dated 08.05.2018, the accused Prince son of the petitioner is required by the police of P.S. Khui Khera, District Fazilka in FIR No.02, dated 08.05.2018. The police officials including the respondents no.5 to7 never harassed the petitioner nor his family members. The present petition has been filed by the petitioner on false facts to put pressure upon the police not to proceed against the petitioner and his son Prince. Both petitioner and his son Prince are absconding and the

police is making efforts to arrest them.”

Learned counsel for the State, on instructions from HC Mukhtiar Singh has submitted that the petitioner has already joined the investigation and has been admitted to bail and he is not required in any other case.

In view thereof, the present petition is dismissed as infructuous.

September 18, 2019
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(ANIL KSHETARPAL)
JUDGE

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