

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-49790-2019

Date of Decision: 26.11.2019

Harbans Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

Present: Mr. S.K.Choudhary, Advocate, for the petitioner.

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Harnaresh Singh Gill, J.

The present petition is filed under Section 482 Cr.P.C. for issuance of directions to respondent No.2 to take strict action against respondents No. 4 to 6.

Counsel for the petitioner has argued that respondents No. 4 to 6 along with 4-5 police officials forcibly entered his house on 1.12.2018, who took him away to the Narcotics Cell Moga; that from there, he was taken to CIA Staff Moga, where he was given inhuman treatment; that the beard of the petitioner was pulled; that as a result thereof he lost his eyesight and was subsequently operated upon for the same.

Earlier this Court, vide order dated 19.12.2018 passed in CRM-M-56102 -2018, while entertaining the said petition filed by the petitioner, directed the Senior Superintendent of Police, Moga to look into the representation dated 1.12.2018 given by Kulwinder Singh. It was further directed that if there was any serious threat to the life and

liberty of petitioner-Harbans Singh, necessary steps to protect his life and liberty, shall be taken, as per law.

In the present petition, reference has been made to Annexure P.2 indicating therein that the petitioner was admitted in Santa Barbara Gulab Singh Ji Eye Hospital, Moga on 8.12.2018; operated upon on the same day and was discharged on the next day i.e. 9.12.2018. The earlier petition filed by the petitioner seeking protection to his life and liberty was entertained by this Court on 19.12.2018. Even in his representation dated 3.1.2019 (Annexure P.3), reference has been made to an incident dated 1.12.2018.

The petitioner has filed the present petition regarding the incident dated 1.12.2018, whereas in the earlier petition, a similar prayer was entertained by this Court on 19.12.2018.

In view of the above, it is apparent that the petitioner by filing the present petition on the same grounds, which were available and in fact, taken in the previous petition, wherein the order dated 19.12.2018 was passed, has abused the process of law and wasted the precious time of the Court. Hence, the present petition is dismissed with costs of Rs.20,000/- to be deposited by the petitioner with the Lawyers' Welfare Funds, Punjab and Haryana High Court, within a period of 15 days from today.

(HARNARESH SINGH GILL)
JUDGE

26.11.2019
ds

Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No