

Sr.No.109

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

CRM-M-843 of 2021

Date of decision:11.01.2021

Rahul

... Petitioner(s)

versus

State of Haryana and others

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Anshul Sharma, Advocate
for the petitioner.

Through Video Conference

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 482 Cr.P.C for quashing of FIR No.217 dated 06.08.2018 (Annexure P-1) registered under Sections 323, 406, 498-A, 506 IPC at Police Station Bawani Khera, District Bhiwani and all consequential proceedings arising therefrom.

Learned counsel for the petitioner has submitted that all the other accused have been declared to be innocent by the police but so far as the petitioner is concerned challan has been presented against him only. He has submitted that the petitioner is 100 percent visually impaired. Therefore, present FIR be quashed.

During the course of arguments, the petitioner was confronted as to why he has concealed that earlier also he had filed similar petition for quashing of FIR which he withdrew vide CRM-M-42634 of 2018 and which he alongwith other accused had withdrawn on 09.09.2019. Learned counsel for the petitioner has expressed his ignorance with regard to the same.

It is a case where concealment has been made by the petitioner with regard to the filing of the earlier similar petition which was withdrawn by the petitioner alongwith the other persons and vide para No.7 of the present petition which is supported by an affidavit stated that no such or similar petition is pending before the Court of Sessions or this Hon'ble Court at the time of filing of the petition and nor any such petition has been earlier filed in this Hon'ble Court or in the Hon'ble Supreme Court.

Such kind of concealment amounts to gross abuse of the process of law. Ordinarily this Court should have imposed exemplary cost upon the petitioner. However, in view of the fact that the petitioner is 100 percent visually disabled, this Court refrains itself from imposing costs upon the petitioner. The present petition is therefore, dismissed.

11th January, 2021

[JASGURPREET SINGH PURI]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No