

117

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-6484-2021

Date of Decision: 14.07.2021

Baldev Singh and antoher

.. Petitioners

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ishan Khetarpal, Advocate for the petitioners.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Article 226 Constitution of India for issuance of directions to respondent Nos.1 to 4 to protect their life and liberty from the hands of private respondent Nos.5 and 6.

Learned counsel for the petitioners has pointed out that on the basis of petitioners' complaint, a case FIR No.36 dated 06.02.2021, under Sections 148, 149, 307, 323, 379-B, 427 and 506 IPC, 1860 and Section 27 Arms Act, 1959 was registered against private respondent Nos.5 and 6, who are extending threats to them. He submits that his representation dated 08.04.2021 (Annexure P-4) for providing protection, is pending before the Inspector General of Police, Karnal and the same has not been looked into so far, therefore, he prays for issuance of necessary directions.

At this stage, learned State counsel, on instructions from ESI Kulwinder Singh has pointed out that the petitioners have concealed the material facts from this Court, as they have not disclosed about the

registration of FIR No.37 dated 06.02.2021, under Sections 148, 149, 323 and 379-A IPC against them. He has produced the document in this regard. According to him, there is an apprehension of breach of peace, therefore, preventive measures have been taken against both the parties and Calandra in this regard has already been issued.

Considering the above background and the fact that the petitioners have not come to the Court with clean hands, the petition is dismissed with a cost of ₹10,000/- to be deposited with the Punjab and Haryana High Court Employees' Welfare Association within a period of two months.

Chief Judicial Magistrate, Kaithal shall ensure the recovery and deposit of the costs.

14.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No