

LPA-699 of 2021

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

(PROCEEDINGS THROUGH V.C.)

LPA-699 of 2021

Date of Decision: 18.08.2021

Harsimranjit Singh

...Appellant

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present:- Mr. Gaurav Sharma, Advocate, for the appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Challenge in this appeal is to the order dated 01.07.2021 passed by the learned Single Judge in CRWP-5994 of 2021 preferred by the appellant where he had sought protection of the life and liberty of himself as well as his property at the hands of respondents No.5 to 8.

Learned counsel for the appellant asserts that the observations of the learned Single Judge to the extent that the appellant had not disclosed the factum of filing of the civil suit titled as “M/s Unicon Builders v. Municipal Committee” wherein notice has been issued for 05.07.2021, is untenable in the light of the fact that the civil suit which was preferred by M/s Unicon Builders was filed on 29.06.2021, the same date when the criminal writ petition was filed for protection of life and property. The said factum was even brought to the notice of the Court through an email which was sent at 9.19 a.m. on the date of hearing. The

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appellant never intended to keep anything away from the notice of the Court and had shown his bona fide by supplying the said documents to the Court itself even prior to the hearing of the matter. He, therefore, asserts that the said observations of the learned Single Judge may be set aside and the costs as imposed is, in the light of these facts, uncalled for.

We have considered the submissions made by the counsel for the appellant and find the order passed by the learned Single Judge as regards the prayer of the protection of life and liberty and property of the appellant fully justified, however, with regard to the aspect of the pendency of the civil suit and its non-disclosure, the said aspect appears to be not so as the counsel for the appellant, who was appearing for the petitioner before the learned Single Judge, had sent through email the details with regard to the civil suit as also the interim orders which have been passed by the Civil Judge (Senior Division) Barnala. In our considered view, therefore, the costs as has been imposed upon the appellant needs to be waived off.

The present appeal is accepted to the limited extent of costs as imposed by the learned Single Judge and the same shall stand waived off.

(Augustine George Masih)
Judge

(Ashok Kumar Verma)
Judge

August 18, 2021
R.S.

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No