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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CWP-20977-2018 (O&M).
Decided on: August 26, 2022.

APARNA PURI

.. Petitioner

VERSUS

STATE OF HARYANA AND ORS

.. Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. Manish Kumar, Advocate, for
Mr. Yash Pal Gupta, Advocate,
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Vinod Ghai, Sr. Advocate, with
Ms. Kanika Ahuja, Advocate, and
Mr. Abhimanyu, Advocate,
for respondent No.2.

Mr. Alok Mittal, Advocate,
for respondent Nos.3, 4 and 8.

VINOD S. BHARDWAJ, J. (ORAL)

CM-6316-CWP-2022

The instant application has been filed for restraining the creditors from publishing the photograph of the petitioner in the recovery notices in the Newspaper. It has been put to the counsel for the petitioner that the said issue is neither the subject matter of dispute in the present petition nor the said creditors are party herein.

Consequently, the instant application is misconceived and is disposed of accordingly.

Main case

The present petition has been filed under Articles 226 and 227 of the Constitution of India, praying for issuance of a writ of mandamus/appropriate directions to the State of Haryana for release of passport of the petitioner submitted with the Inspector General (Crime) Police Headquarters, Panchkula, Chandigarh, as the same tantamounts to infringement of petitioner's fundamental right guaranteed under Article 21 of the Constitution of India and further seeking quashing of (1) FIR No. 0023 dated 21/01/2017 u/s 406,420,120-B IPC, registered at Police Station Ladwa, Distt. Kurukshetra (Annexure P/1), (ii) FIR No. 0083 dated 14/03/2017 u/s 406, 420,506, 120-B IPS, registered at Police Station Matlauda, Distt. Panipat (Annexure P/2), (iii) FIR No. 0065 dated 16/03/2017 u/s 323,406,420,506, 120- B IPC, registered at Police Station Matloda, Distt. Panipat(Annexure P/3) (iv) FIR No. 0076 dated 22/03/2017 u/s 323, 406,420,506, 120- B IPC, registered at Police Station Narnaund, Distt. Hissar (Annexure P/4) (v) FIR No. 0156 dated 01/05/2017 registered at Police Station Safidon, Distt. Jind (Annexure P/5,), (vi) FIR No. 0077 dated 05/05/2017 u/s 406,420,506,120-B IPC, registered at Police Station Cheeka, Distt. Kaithal (Annexure P/6) (vii) FIR No. 0174 dated 06/05/2017 u/s 323,406,420,506,34, IPC, registered at Police Station Butana, Distt. Karnal (Annexure P/7), (viii) FIR No. 0342 dated 09/05/2017 u/s 406,420, 120-B IPC, registered at Police Station Sirsa City Distt. Sirsa (Annexure P/8), (ix) FIR No. 0165 dated 13/06/2017 u/s 406,420,506 IPC, registered at Police Station Julana, Distt. Jind (Annexure P/9), (x) FIR No. 0325 dated

17/06/2017 u/s 406,420,506 120-B IPC, registered at Police Station Pehowa, Distt. Kurukshetra (Annexure P/10), (xi) FIR no. 0409 dated 31/07/2017 u/s 406,420,506,120-B IPC, registered at Police Station Thanesar Sadar, Distt. Kurukshetra (Annexure P/11), (xii) FIR no. 240 dated 22/07/2016 u/s 323,342,406,420,506 IPC, registered at Police Station Madhuban, Distt. Karnal (Annexure P/12), (xiii) FIR No. 252 dated 30/08/17 u/s 406, 420 & 506 IPC, registered at PS Julana, Dist. Jind (Annexure P/13), (xiv) FIR No.233 dated 31/08/2017 u/s 406, 420 IPC, registered at Police Station Nirwana City, Distt. Jind (Annexure P/14), (xv) FIR No. 408 dated 11/09/2017 u/s 406, 420, 506, 120-B IPC, registered at Police Station Kaithal City, Distt. Kaithal (Annexure P/15), (xvi) FIR No.417 dated 04/12/2017 u/s 406, 420, 120-B IPC, registered at Police Station Pundri City, Kaithal (Annexure P/16), (xvii) FIR No. 18 dated 13/02/2018 u/s 406,420 &120-B & 506 IPC, registered at Police Station Radaur, Distt. Yamunanagar (Annexure P/17) and FIR No. 25 dated 13.02.18 u/s 120B,406, 420 & 506 IPC, registered at PS Radaur, Distt. Yamunanagar (Annexure P/18) qua the Petitioner, and during the interregnum issue an interim direction to not take coercive steps against the petitioner with respect to the aforementioned FIRs or any other Complaint/FIR pending against the petitioner, exempting personal appearance of the Petitioner or in alternative permitting the Petitioner to be represented through an Advocate who shall be empowered to answer all questions including the framing of charge.

So far as the first relief qua release of passport is concerned, the petitioner has already moved an application in CWP-26571-

2017, titled as “Amira Pure Foods Pvt. Ltd And Anr. Vs State of Haryana and Ors.” seeking release of the passport and notice has also been issued in the said application.

Resultantly, the instant prayer is duplication of the prayer which is already being considered by this Court in the connected writ petition.

So far as the petitioner seeking relief of quashing of the FIR No.0023 dated 21.01.2017, under Sections 406, 420 and 120-B IPC, registered at Police Station, Ladwa, District Kurukshetra, is concerned, learned counsel appearing for the petitioner has stated at Bar that CRM-M-16325-2018 and connected cases titled as “Aparna Puri Vs. State of Haryana and another,” seeking quashing of FIRs has also been filed and the same are pending before the appropriate Bench as per Roster.

Resultantly, the instant petition is apparently a duplication and multiplicity of the litigation seeking the same relief.

Accordingly, without commenting on the merits of the case, the present petition is dismissed allowing the petitioner to agitate the issues in the appropriate application/petition pending before the competent Court.

August 26, 2022.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No