

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

201

CRWP 10429 of 2022 (O&M)

Date of Decision: 18 November, 2022

Shahbuddin

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Jamshed Ahmed, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

The petitioner has filed the instant petition with a prayer for issuance of directions to the respondents No. 2 and 3 to protect the life and liberty of the petitioner and his family members and to restrain the private respondents No. 5 to 14 from harassing and interfering in their peaceful life. A further prayer has also been made to direct the respondents No. 2 and 3 not to register any false criminal case at the instances of respondents No. 5 to 14.

On the last date of hearing, notice of motion was issued to respondents No. 1 to 4 only. However, Mr. Munfaid Khan, Advocate has appeared on behalf of the private respondents as well.

The learned State counsel has filed reply by way of affidavit of Deputy Superintendent of Police, Headquarters, Nuh and it has been averred in the reply that respondents No. 5 to 14 were joined in the enquiry proceedings conducted by the local police and they have

categorically submitted that they have neither created any danger nor they will create any danger to the life and liberty of the petitioner and his family members. Even, the local police has also made an enquiry from the residents of the area openly and secretly and the allegations of apprehending danger were not established by any cogent and reliable evidence during the course of enquiry. However, learned counsel for the State has informed the Court that the petitioner had also preferred another Criminal Writ Petition No. 271 of 2022 and similar allegations were levelled against the same respondents for protection from alleged threats to life and the said petition was disposed of by this Court, with certain observations.

Learned counsel for the private respondents submits that the private respondents have been harassed by the petitioner and earlier also they were impleaded as respondents by him without any justification. Even the petitioner has concealed the said fact of filing the earlier Criminal Writ Petition No. 271 of 2022 from this Court as well.

In view of this, it is apparent that the present petition is misconceived and the petitioner has concealed the material facts, while filing the petition. Consequently, the instant petition is ordered to be dismissed.

However, a costs of Rs. 10,000/- is imposed upon the petitioner, which shall be deposited by the petitioner in the 'Poor Patients Welfare Fund, P.G.I., Chandigarh within a period of two months.

18 November, 2022

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No