

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

105

CRWP-664-2023 (O&M)

Decided on : 24.02.2023

Ijaj Khan and another

... Petitioner(s)

Versus

State of Haryana and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Aazam Khan, Advocate for the petitioners.

Mr. Vikas Bhardwaj, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

Order dated 15.02.2023 passed by this Court says as under:

“Order dated 14.02.2023, says as under:-

“In compliance to the order dated 24.01.2023, status report dated 13.02.2023, by way of affidavit of Shamsher Singh, HPS, Deputy Superintendent of Police, Punhana, on behalf of the respondents No.1 to 3, has been filed by learned State counsel, in Court today, which is taken on record, subject to all just exceptions. Office to tag the same at appropriate place.

Para 2 and 7 says as under:

“2. That it is also pertinent to mention here that after receiving the notice of the present petition, an enquiry has been conducted by the local police and during the course of an enquiry, it has been revealed that the given address of the petitioners was found fake and frivolous.

xxx xx xx xx xxx

7. That the local police has conducted a fair, proper and impartial, transparent enquiry in the present case and during the course of enquiry. the petitioner Ijaj Khan was found resident of village Padasala, PS Kishangarh, District Alwar, Rajasthan as per the verification report conducted

by the local police. The respected people of village Padasala, P.S Kishangarh, Rajasthan have categorically admitted that the petitioner is the resident of the village Padasala, Alwar. However, the respected people of village Bubalhedi have specifically contended that he is not joint resident of village Bubalhedi, PS Pinangwan, District Nuh. A copy of joint statement of respected people of village Bubalhedi, District Nuh is annexed as Annexure-R-1. A joint statements of respected people of Padasla is annexed as Annexure R-3.”

Said report has been submitted after recording the statements of co-villagers of petitioner No.1-Ijaj Khan i.e. of Mohd. Ex. Sarpanch, Hamid Khan, Sohrab, Rajjak, Khurshed and Fakru.

While holding inquiry, statements of the residents of Village Bubalhedi, Police Station Pinangwan, District Nuh, i.e. of Hazru, Khurshid, Mubin and Azad has also been recorded and same is the part of report filed before this Court.

It is noticed that petitioners have projected themselves to be residents of Village Bubelhedi District Nuh, Haryana, only for the purpose of filing of present petition before this Court i.e. Punjab and Haryana High Court.

For consideration, adjourned to 15.02.2023.”

Counsel for the petitioners has been asked by this Court to give any explanation or to produce any piece of evidence to even prima facie show that the petitioners are residents of the Village Bubalhedy, Punhana, Nuh, Mewat.

Mr. Aazam Khan, counsel for the petitioners expresses his helplessness.

With an idea to prevent such practice in future, cost amounting to Rs.5000/- is hereby imposed upon the petitioners, which shall be deposited by them with the ‘Punjab and Haryana High Court Bar Association Lawyers Family Welfare Fund

(Current A/c No.: 41564846387)'.

Receipt of the deposit be produced in Court on the next date of hearing.

List on 24.02.2023.

It is, however, made clear that if the petitioners fail to deposit the aforesaid amount, this Court may proceed against the petitioners in accordance with law ”

Today, counsel for the petitioners produced a true copy of receipt No. 3711 dated 23.02.2023 issued by Punjab & Haryana High Court Bar Association Lawyers Family Welfare Fund and same is taken on record as Annexure A-1. Registry is directed to tag the same at appropriate place.

While referring to the said copy of receipt, learned counsel for the petitioners submits that in compliance of order dated 15.02.2023, cost amount of Rs. 5,000/- has been deposited by the petitioners.

In view of the order dated 15.02.2023 as reproduced here-in above and compliance made by the petitioners, present petition stands disposed of without issuing any direction.

Disposed of.

(SANJAY VASHISTH)
JUDGE

24.02.2023

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No