

CRM-M No.28384 of 2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.28384 of 2023
Date of decision : 11.09.2023

Ravi Singh

....Petitioner

Versus

State of Punjab and ors.

....Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1 Prayer is for issuance of direction to respondent Nos.2 and 3 to comply with the provisions of Section 160 Cr.P.C. by giving notice in advance in case the presence of the petitioner or his family members is required in connection with any investigation; inquiry or trial; along with certain other prayers.

2. It is discernible from the records that the petitioner earlier filed a similar petition with the same prayer i.e. CRM-M-26986-2023, which was ordered to be dismissed as withdrawn vide order 26.05.2022 and the same reads as under:-

“Prayer in the present petition is for issuance of directions to respondents No.2 and 3 in comply with the provisions of Section 160 Cr.P.C. by giving notice in advance to the petitioner or his family members in case their presence is required and to direct respondent No.2 to further direct is respondent No.3 to not harass the petitioner and his family members.

2. Learned counsel the petitioner submits that she may be permitted to withdraw the present petition at this stage with liberty to avail other remedies available in law.

3. In view of the statement given by learned counsel for the petitioner, the present petition is dismissed as having withdrawn with liberty aforesaid.”

3. Thereafter, the present petition was filed on 29.05.2023 and during the time the present petition was pending before this Court and was being repeatedly adjourned for compliance of the order dated 02.06.2023, another petition was filed by the same petitioner through the same counsel i.e. CRM-M-30762-2023, which was dismissed vide order dated 03.08.2023, which reads as under:-

“1. The present petition has been filed under Section 482 of the Code of Criminal Procedure, praying for issuance of direction to respondents No.2 to 3 to comply with the provisions of Section 160 Cr.P.C. by giving notice in advance in case the presence of the petitioner or his family members is required in connection with any investigation, inquiry or trial; along with certain other prayers.

2. Keeping in view the vague prayer and pleadings in the present petition, this Court does not find it appropriate to interfere in the matter.

3. Dismissed.

4. However, the petitioner would be at liberty to avail any other alternate remedy, in accordance with law.”

4. Keeping in view the conduct of the petitioner as well as the counsel for the petitioner, present petition is dismissed with cost of Rs.50,000/- to be deposited with Punjab and Haryana High Court Bar Association Lawyer’s Family Welfare Fund.

11.09.2023

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(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable : No