

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

**CRM-M-31206-2019
DECIDED ON: 5th JANUARY, 2023**

SUNIL KALRA @ SUNNY

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Chanakya Batta, Advocate
 for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Rajesh Bhateja, Advocate
for respondents No.8 to 10.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 482 Cr.P.C. for issuance of directions to the official respondents for registration of case against the private respondents under the relevant provision of law for committing breach of trust, causing threats to the petitioner and his family members with further prayer to direct the official respondents not to harass the petitioner and his family members by calling them again and again in the police station at the behest of private respondents.

According to replies dated 07.11.2019 and 02.12.2019 of Sh. Paramjit Singh, PPS, Deputy Superintendent of Police (City), Moga and Sh. Sukhdev Singh, PPS, Deputy Superintendent of Police (NRI), Ludhiana

there is no apprehension to the life and liberty of the petitioner.

Reply filed by respondents No.8 to 10 in Court today is taken on record.

From the perusal of reply filed by the private respondents, it is abundantly clear that the petitioner had already approached the Court of Judicial Magistrate Ist Class, Moga by way of filing Criminal Complaint, which is stated to be still pending. The petitioner instead of pursuing his complaint before the Court below has rushed to this Court by concealing the factum of filing of criminal complaint on the same cause of action. The petitioner has not approached this Court with clean hands and the course adopted by the petitioner is nothing but concealment of material facts from this Court. He has also tried to mislead this Court for which he needs to be burdened with exemplary cost so as to avoid reoccurrence.

In view of discussions made hereinabove and the fact that the petitioner has concealed the material fact from this Court, which amounts to an abuse of process of law, the present petition stands dismissed with cost of ₹25,000/- to be deposited with the Poor Patients' Welfare Fund, PGIMER, Chandigarh.

Ordered accordingly.

5th JANUARY, 2023

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(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>