



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

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CWP-21265-2024

Date of decision: 06.09.2024

SEEMA SHARMA

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present: - Mr. Sartaj Singh Gill, Advocate
for the petitioner.

Ms. Niharika Sharma, Asstt. A.G. Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner approached this Court for seeking directions to respondents No.2 and 3 i.e. the Additional Director General of Police (Jails), Punjab as well as Superintendent of Jail, Central Jail Bathinda to take appropriate steps to protect the life of convict Gaurav Sharma @ Goru Bacha son of the petitioner who is lodged in Central Jail, Bathinda as necessary food and medicine and other facilities were not being extended to him, which were alleged as being violative of the fundamental rights of the convict.

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2. The above said writ petition was prepared on Tuesday i.e. 27.08.2024 and a mentioning for listing was made on Wednesday i.e. 28.08.2024 and the mentioning being allowed, the matter was listed on 29.08.2024. The State Counsel informed during the course of hearing that the convict Gaurav Sharma @ Goru Bacha had also filed CRWP-3440-2024 that had actually been disposed of by a Co-ordinate Bench vide order dated 23.08.2024. It was noticed that 23.08.2024 was a Friday and the Court was closed for 24.08.2024 to 26.08.2024 and that the instant writ petition got prepared immediately on the first opening date after the dismissal of the earlier writ petition. This Court thus directed the Registry to tag the record of the said case i.e. CRWP-3440-2024. The said case had been heard alongwith CRWP-10721-2022 again titled as "*Gaurav Sharma @ Goru Bacha versus State of Punjab*". The prayer in CRWP-10721-2022 was for seeking directions to the Director General of Police and Supdt. of District Jail, Rupnagar (where the convict was lodged then) and to be protected from high handedness and inhumane torture and also to protect his life in prison. It seem that the convict Gaurav Sharma-son of the petitioner was earlier lodged in the Jail at Rupnagar and during the pendency of the proceedings, he was shifted to the Central Jail, Bathinda whereupon CRWP-3440-2024 was filed again seeking directions to the Additional Director General of Police (Prisons), Punjab to take appropriate steps against imminent danger and threats posed to his life and liberty. Both the said writ petitions were disposed of by a detailed order dated 23.08.2024 passed by a



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Coordinate Bench of this Court in CRWP-10721-2022. The relief asked for by the detenue was declined after noticing the objections of the State.

3. In a quick succession thereto, the instant writ petition for identical relief has been filed, through the mother on 27.08.2024. The institution of the earlier writ petitions and their status has not been disclosed by the petitioner in the present case.

4. It is thus apparently a case of forum shopping, for identical reliefs, by filing multiple petitions for the same relief and cause through different persons and lawyers so as to fish out a relief for themselves. Such a conduct on the part of the litigant deserves deprecation and the petitioner needs to be burdened with costs as well.

5. Accordingly, for the above said misplaced adventure and misconduct on the part of the petitioner, **the present writ petition is dismissed with a cost of Rs. 30,000/- to be recovered from the petitioner.** Let the same ***be deposited with the District Legal Services Authority, Ludhiana*** and to be utilized for the purpose of distribution of hygiene kits in the Government Girls Schools in Ludhiana.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 06, 2024
Vishal Sharma

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