

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M No.22213 of 2013
Date of Decision 20.01.2015

Manjit Singh and another

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR.JUSTICE M.M.S BEDI

Present: Mr. S.P.S.Sidhu, Advocate,
for the petitioners.

Mr. J.S. Brar, AAG, Punjab.

M.M.S BEDI, J.(ORAL)

Through the instant petition under Section 482 Cr.P.C petitioners seek a direction to respondents No. 1 to 4 not to harass the petitioners at the instance of respondents No. 5 and 6. They have sought protection of life and liberty apprehending false involvement.

Reply has been filed by Senior Superintendent of Police, Sri Muktsar Sahib bringing it to the notice of the Court that Investigating Officer Iqbal Singh in-charge of CIA Sri Muktsar Sahib had recovered 25.500 grams of opium from three accused.

During investigation accused Dayal Singh on interrogation had disclosed that he has intimacy with petitioner No.2, who had been in the habit of consuming and selling opium and that he had on earlier occasion supplied opium to petitioner No.2 four years back. Accused Dayal Singh has allegedly made a statement to the effect that he had brought opium as demanded by petitioner No.2, which was recovered on 25.06.2013.

In view of above said circumstances, the police had visited the house of petitioner No.2 on 04.07.2013, 15.07.2013 and 01.08.2013 but thereafter it was decided that petitioner No.2 is not to be arrested.

On the instructions of ASI Santa Singh it has been informed that both the petitioners are not involved in any other case.

In view of above said circumstances there does not appear to be any threat to the life and liberty to the petitioners.

It is ordered that in case the petitioners are not involved in any other criminal case as accused and they are required for any inquiry, provisions of Section 160 Cr.P.C will be brought into operation for calling petitioners by serving advance notice of seven days.

This order will remain operative for a period of one year but will not entitle the petitioners to commit cognizable offences in the garb of this order. It is made clear that in case of commission of any substantive offence by the petitioners, this order will not be operative but will be operative for the purpose of any inquiry in which petitioners are not accused.

Disposed of in the aforesaid terms.

20.01.2015

harsha

(M.M.S.BEDI)
JUDGE