

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-30047 of 2015

Date of Decision: September 07, 2015

Lakhwinder Singh

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.S.Bhinder, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for protection of life and liberty and for directions to respondents to comply with the provisions of Section 160 Cr.P.C. in case the presence of the petitioner is required in connection with any investigation or enquiry and further to issue directions to respondents No.3 to 6 not to unnecessarily harass the petitioner by compelling him to come to the police station without any reasonable cause or justification.

I have heard learned counsel for the petitioner and have gone through the record.

As per the averments in the petition, the petitioner was implicated in FIR No.4 dated 11.01.2015 under Sections 392, 342, 120-B IPC and Section 25 of the Arms Act and FIR No.5 dated

11.01.2015 under Sections 307, 353, 186, 148 and 149 IPC read with Section 25/27 of the Arms Act. It is the case of the petitioner that he was found innocent by SP City, Bathinda. It is also the case of the petitioner that again police officials tried to falsely implicate him and his family members.

The perusal of the record shows that two FIRs are already registered against the petitioner for the cognizable offences. In the cognizable offences, the accused can be arrested even without warrants. No advance notice is required to the petitioner, who is accused in above-said two FIRs. Section 160 Cr.P.C. relates to giving notice to the witnesses during the investigation. The present petitioner, admittedly, is not a witness in this case but he is accused. Otherwise also, there is nothing on the record to show that there is any threat to life and liberty of the petitioner from the respondents. There is no question of giving at least seven days' notice to the petitioner in writing, in any way, if he is required in enquiry or for investigation as it will amount to giving of blanket bail to the petitioner.

Therefore, finding no merit in the present petition, the same is dismissed.

September 07, 2015
Vgulati

(INDERJIT SINGH)
JUDGE