

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23229 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of respondents 3 to 11 in summoning the petitioner to Police Station and also insisting him to clear off the amounts due by the 12th respondent, as illegal and arbitrary.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondents 1 to 11. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to 12th respondent.

The case of the petitioner is that the 12th respondent herein is his brother-in-law. Since the 12th respondent is due to pay some amounts to farmers, criminal cases were registered against the 12th respondent in different police stations. The grievance of the petitioner is that the respondents-Police are summoning the petitioner to Police Station and insisting him to clear the amounts due by the 12th respondent. Aggrieved by the said action, the present writ petition came to be filed.

The learned counsel for the petitioner mainly submits that without any crime being registered against the petitioner, the respondents-Police are calling the petitioner to Police Station in connection with the complaints given by some farmers against the 12th respondent, which is impermissible.

Learned Assistant Government Pleader, on instructions, denies the allegations made in the Writ Petition and submits that the respondents-Police never interfered with the personal life and liberty of the petitioner.

Having regard to the rival submissions made, the Writ Petition is disposed of directing the respondents-Police not to summon the petitioner to Police Station and not to interfere with his personal life and liberty. However, if the respondents-Police intend to summon the petitioner or take any action against him, they shall follow the procedure established under law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

19.07.2017
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C. PRAVEEN KUMAR, J

