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

**CWP-8956-2017
Date of decision : 28.04.2017**

Ishwar Singh

..... Petitioner

VERSUS

Dakshin Haryana Bijli Vitran Nigam Limited and another Respondents

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

Present: Mr. Ved Parkash Ranga, Advocate
for the petitioner.

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

The petitioner claims that though he had appeared before the Police Station, I & P, Jind, pursuant to notice issued under Section 160 Cr.P.C, Annexure P-3, in the year 2014, again vide notice dated 25.04.2017, he has been called for appearance before the police officer under Section 41(a) Cr.P.C.

I have gone through the order dated 25.04.2017, Annexure P-7. It is mentioned in the said notice that in case the petitioner does not appear on 01.05.2017 in the Police Station, I & P, Jind, it will be deemed that he is not ready to get himself identified and thereafter, he could be arrested after adopting due procedure of law.

I have considered all the facts and circumstances of the present case and I am of the opinion that the remedy for the petitioner is not the writ petition. In case, he has got an apprehension of arrest, he can avail the remedy under Section 438 Cr.P.C or could submit a representation to any senior police officer. The instant petition is, thus, not maintainable.

In the interest of justice, the petition is disposed of with an observation that in case the petitioner is required to be arrested in case No.1466 dated 25.08.2014, under Section 135 of the Electricity Act, 2003 at Police Station, I & P, Jind, he would be given one week’s notice to enable him to avail the appropriate legal remedy available to him.

(M.M.S. BEDI)
JUDGE

April 28, 2017
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No