

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

Crl. Misc. M-19526 of 2018 (O&M)
Date of Decision: May 08, 2018

Jagjot Jawanda

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aman Mittal, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed under Section 482 Cr.P.C. read with Section 438 Cr.P.C. seeking a direction to the respondents not to arrest the petitioner in the eventuality that an FIR is registered against him under Sections 376, 120-B of Indian Penal Code at Police Station Dugri, Ludhiana.

Learned counsel for the petitioner herein contends that the petitioner herein has been made aware that a complaint has been registered against him under the aforesaid sections and that he is ready to join the investigation. However, fears that in case, he puts in appearance, he would be arrested immediately, without an FIR being registered. A limited prayer is made that in case, an FIR is registered, he be not arrested for a period of 07 days, to allow him to avail remedy in accordance with law.

Notice of motion.

At this stage, on the asking of the court, Mrs. Anju Arora, Addl. AG Punjab, accepts notice. Let sufficient number of copies of the petition be served upon him during the course of the day.

I have heard learned counsel for the parties and in view of the fact that at the present moment, there is no FIR registered against the petitioner (in a statement given by the counsel) the petitioner herein is directed to appear before the Investigating Officer forthwith and join the investigation, with a direction that in case, an FIR is registered, he be not arrested for a period of 07 days, in order to allow him to avail remedy in accordance with law.

The petition stands disposed of with the aforesaid directions.

May 08, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No