

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

CRM-M-20450-2018 (O&M)

Date of Decision:- 19.12.2018

Bindeshwari Gupta and others

... Petitioners

Versus

State of U.T. Chandigarh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rohit Mahajan, Advocate, for the petitioners.

Mr. Lalit K. Gupta, Addl. PP, U.T. Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

The petitioners seek issuance of directions to respondents No.1 to 3 not to harass the petitioners by summoning them time and again to the Police Station.

Learned counsel for the petitioners submits that son of petitioners No.1 and 2 and brother of petitioner No.3 namely Sagar had run away with a girl namely Deepa daughter of Vinod without his knowledge, consent and without giving any intimation to the petitioners. It has been submitted that the father of girl has lodged FIR and that the police is now harassing the petitioners to disclose about the whereabouts of son of

petitioner No.1 namely Sagar whereas in fact the petitioners themselves do not have any idea or clue about his whereabouts.

Learned counsel representing U.T. Chandigarh has filed reply by way of affidavit of Inspector Jaswinder Kaur, SHO, Sector 49, Chandigarh wherein it has been deposed that in fact Sagar had eloped with girl named Deepa who was barely aged 13 years, regarding which FIR No.63 dated 7.4.2018, under Section 363, IPC had been lodged and that the petitioners had been called in connection with the FIR to make some inquiry.

Having heard the learned counsel for the petitioners and learned counsel for the State, the petition is disposed of with a direction to respondent No.2 and 3 to ensure that in case the petitioners are required to be associated with any inquiry or any information is to be elicited from them in connection with alleged missing girl Deepa, then a prior notice in terms of Section 160 Cr.P.C. be afforded to the petitioners before calling them.

A copy of this order be sent to respondents No.2 and 3 so as to enable them to do the needful.

December 19, 2018
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No