

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37758-2017 (O&M)

Date of decision: 01.11.2018

Veena Shinh and another

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. Parminder Singh-I, Advocate
for respondents No.7 to 10.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for issuance of directions to respondents No.3 & 4 not to harass, humiliate and involve the petitioners, who are old ailing persons, in false cases at the behest of respondents No.5 to 10.

On 10.10.2017, the following order was passed by this Court: -

“Prayer in the instant petition under Section 482 Cr.P.C. has been made for issuance of direction to respondents No.3 and 4 not to harass, humiliate and involve the petitioners, who are old and ailing persons, in false cases at the behest of

respondents No.5 to 10 and not to call them to the police station without following the provisions of Section 160 Cr.P.C.

Learned counsel for the petitioners inter alia contends that after passing of order dated 25.09.2017 by this Court in CRM-M-34926 of 2017 filed by the petitioners, the police again started calling the petitioners to the police station by obtaining a fresh complaint from the son of the complainant, namely, Sarabjit Singh without lodging any FIR or otherwise. Relying upon the judgment of this Court in Baljit Kaur and others v. State of Punjab and others, 2013(3) R.C.R.(Criminal) 558, Kulbir Singh v. State of Punjab, 1999(2) R.C.R.(Criminal) 592 and Gurnam Singh and others v. State of Punjab and others, 1999(2) AICLR 646 learned counsel contends that respondents No.1 to 4 may be directed not to call the petitioners to the police station without serving seven days' advance notice to the petitioners in view of the provisions of Section 160 Cr.P.C.

Notice of motion for 18.1.2018.

On the asking of the Court, Ms. Bhavna Gupta, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of respondents No.1 to 4.

Requisite number of complete copies of the paper book be supplied to learned State counsel during the course of the day.

In the meanwhile, petitioners shall not be summoned by respondents No.1 to 4 without giving seven days' advance notice in view of provisions of Section 160 Cr.P.C.”

Reply by way of affidavit of Assistant Superintendent of Police, Sub Division, Phagwara on behalf of respondents No.1 to 4 filed in Court today, is taken on record and as per this affidavit, on the complaint given by respondent No.5 Surinder Kumar, an enquiry was conducted and after conducting the enquiry, notices were issued to the petitioners and the police has never harassed the petitioners in any manner.

In view of the above, present petition is disposed of and the order dated 10.10.2017 passed by this Court is made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

01.11.2018
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No