

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-39894-2019 (O&M)

Date of Decision:- 18.9.2019

Tasbir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuljit Singh Bal, Advocate, for the petitioners.

GURVINDER SINGH GILL, J. (Oral)

At the very outset, learned counsel for the petitioner submits that he does not press upon his prayer as regards the issuance of direction for fair investigation of FIR No. 157, dated 27.8.2019, registered at Police Station Ajnala, District Amritsar Rural, under Sections 376, 506 IPC, and has submitted that this petition may be dismissed as withdrawn as far as the said prayer is concerned.

In view of the aforesaid submission, the aforesaid prayer is treated as withdrawn, at this stage.

Learned counsel for the petitioner has however, submitted that the petitioners are the parents and younger brother of Daljit Singh against

whom a false case under Section 376 IPC has been lodged at the instance of Prabhjot Kaur whereas in fact said Daljit Singh and Prabhjot Kaur were in a relationship as would be evident from the photographs annexed as Annexure P-1. It has been submitted that the police in order to exert unnecessary pressure had illegally detained the petitioners and has continuously been harassing the petitioners on account of the fact that the aforesaid FIR had been registered against the son of petitioners No.1 and 2.

Having heard the learned counsel for the petitioners, the petition is disposed of with a direction to Senior Superintendent of Police, Amritsar Rural (respondent No.2) to ensure that the petitioners are not unnecessarily harassed. In case the petitioners are required to be associated with any inquiry or any information is to be elicited from them, then a prior notice in terms of Section 160 Cr.P.C. be afforded to them.

It is however clarified that this order is not to be treated as any kind of immunity from legal action against petitioners in case they are found to have committed any wrong.

A copy of this order be sent to Senior Superintendent of Police, Amritsar Rural (respondent No.2), so as to enable him to do the needful expeditiously.

September 18, 2019

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No