

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

CRM-M-50892 of 2019 (O&M)

Date of decision: 02.12.2019

Tilak Raj and Anr.

....Petitioners

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Akashdeep Singh, Advocate for the petitioners.

HARINDER SINGH SIDHU, J.

Prayer in this petition preferred under Section 482 Cr.P.C is for issuing direction to respondent No.3-SHO, P.S Talwara not to conduct inquiry into the complaints of private respondents.

It is stated that respondent No.7 has filed several complaints against the petitioner with the same allegations, which have already been inquired into by the DSP, Mukerian, Incharge, Economic Offence Wing, Hoshiarpur duly approved at the level of SSP, Hoshiarpur. Even a petition bearing CRM-M-32487 of 2017 has also been filed by respondent No.7 seeking directions for registration of an FIR against the petitioner, which was disposed of by this Court vide order dated 03.04.2019 with liberty to move an application before the learned Area Judicial Magistrate by filing complaint under Section 156 (3) Cr.P.C. Without taking recourse in terms of said order, respondent No.7 has again filed complaint before the SSP, Hoshiarpur.

Grievance of the petitioners is that by filing repeated complaints on the same cause of action, the petitioner is frequently being called to the police station without adhering to the mandatory provisions of law contemplated under Section 160 Cr.P.C .

Without commenting upon the merits of the case or opining on the veracity of the allegations contained in the representation, this petition is disposed of with a direction that in case the presence of the petitioners is required in connection with the investigation of any case, procedure as contemplated under Section 160 Cr.P.C be strictly followed.

December 02, 2019
manoj

(Harinder Singh Sidhu)
Judge

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