

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

CRM-M-16251-2020 (O&M)

Date of decision: 24.06.2020

Hardial Kaur and others

...Petitioners

Versus

State of Punjab and others

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Veneet Sharma, Advocate for the applicant-petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-14209-2020

For the reasons in the application and undertaking of learned counsel for the applicant-petitioners, the application is allowed, subject to all just exceptions.

CRM-M-16251-2020

Through the instant petition under Section 438 Cr.P.C., the petitioners seek directions to issue advance notices under Section 160 Cr.P.C. in case they are required for any inquiry/investigation in case FIR No. 135 dated 25.04.2020 registered under Sections 10, 11, 13, 17, 18, 20 and 21 of the Unlawful Activities (Prevention) Act, 1967 (Amendment 2012), at Police Station Sadar Amritsar, District Amritsar.

Learned counsel for the petitioners has submitted that in the present case two persons namely Bikram Singh @ Vicky and Maninder Singh @ Mani has been arrested and during their interrogation they had named Gursant Singh son of petitioners No. 1 and 2. He has further stated that Gursant Singh is not living with the petitioners No. 1 and 2 since the year 2012 and his whereabouts are not known to them.

Notice of motion.

On the asking of this Court, Mr. Ajay Pal Singh Gill, DAG, Punjab, accepts notice on behalf of the respondent-State.

Having heard the learned counsel for the petitioners and while refraining from making any expression as regards the veracity of the averments made in the petition, the same is disposed of with a direction to Commissioner of Police, Amritsar, District Amritsar and Senior Superintendent of Police, Tarn Taran, District Tarn Taran (respondents No. 3 and 4) that in case the petitioners are required to be associated with any inquiry or any information is to be elicited from them then a prior written notice of not less than three days be afforded to them before summoning them. It is, however, made clear that the aforesaid order shall not bestow any kind of immunity upon the petitioners, in case it is found that they have committed any wrong.

The petition stands disposed of with aforesaid directions.

(HARNARESH SINGH GILL)
JUDGE

24.06.2020

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No