

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

210

**CRM-M-6613 of 2021
Date of Decision:27.09.2021**

Jagtar Chand and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: None for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Though learned counsel for the petitioners has not joined the video conference, since it is past 4:00 p.m., however learned State counsel submits, on instructions, that the petitioners have joined investigation and their custodial interrogation is not longer required.

It is to be noticed that though counsel for the State who appeared on the last date of hearing, had sought time to file a reply to the petition, no such reply has been filed.

That being so, with the investigating officer himself not wanting the petitioners' custodial interrogation, even in terms of the ratio of the judgment of the Supreme Court in M.C.Abraham v. State of Maharashtra (2003) 2 SCC 649, this petition has been rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, they would be given 10 days notice before arrest, duly shown to be served upon them.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

September 27, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No