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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRWP-3804-2021
Date of Decision: 23.04.2021.

SUNIL KUMAR

...Petitioner

VERSUS

STATE OF HARYANA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tapash Kumar Aggarwal, Advocate for
Mr. Parminder Singh Rai, Advocate
for the petitioner.

Mr. Sukhdeep Sing Parmar, DAG Haryana.

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MANOJ BAJAJ, J. (Oral)

The petition has been filed by the petitioner under Article 226 read with Article 21 of the Constitution of India praying for issuance directions to the respondent No. 3 (wrongly mentioned as respondent No.4) not to call the petitioner unnecessarily in Police Station in FIR No. 136 dated 24.07.2020 under Section 346 IPC, registered at Police Station Sector-6 Dharuhera, District Rewari.

During the course of the hearing it is not disputed that Pawan Kumar, husband of complainant namely Sharmila is missing and in this regard a case FIR No. 136 dated 24.07.2020 under Section 346 I.P.C. at Police Station Sector-6, Dharuhera already stands registered.

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Admittedly, the mobile phone of Pawan Kumar is with the petitioner who has filed this petition on the ground that the Police is harassing him, as accordingly to him someone came to the petitioner and sold the mobile belonging to Pawan Kumar. Learned counsel fairly states that Pawan Kumar is yet to be recovered.

Considering the above background, this Court is of the opinion that as the police has approached the petitioner to seek whereabouts of the missing person, who is having the mobile phone of said person, therefore, it cannot be construed as harassment. The petition is misconceived.

Dismissed.

(MANOJ BAJAJ)
JUDGE

23.04.2021
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Whether speaking / reasoned? No

Whether reportable? No

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