

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CRWP-6159-2021

Date of decision: 07.07.2021

Randeep Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Petitioners have approached this Court under Article 226 of the Constitution of India for issuance of a direction to official respondents to protect their lives and liberty from the hands of official respondents No. 4 and 5 and for directing the respondents to serve notice to comply with the provisions of Section 160 of the Code of Criminal Procedure, 1973 in case presence of the petitioners are required in connection with FIR No.79 dated 22.06.2021 registered for offences under Sections 302, 323, 324, 148, 149, 427 of Indian Penal Code, 1860 and 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Sultanwind, District Police Commissionerate Amritsar.

Counsel for the petitioners submits that petitioners are the relatives of accused and are being harassed without complying with the mandatory provisions of Section 160 of the Criminal Procedure Code, 1973.

Notice of motion.

On asking of the Court, Mr. Amit Mehta, Senior Deputy Advocate General, Punjab, who has been served with an advance copy of the petition, accepts notice. State counsel, upon instructions, from SI Prab Dyal submits that petitioners are not required in any criminal case as of date.

In view of the statement made by the State Counsel and without commenting on the veracity of allegations levelled in the petition, the petition is disposed of with a direction to the respondents that in case the petitioners are required to be associated with the above said FIR, then a written advance notice in terms of the provisions of Section 160 of the Code of Criminal Procedure, 1973 be served upon them.

It is, however, made clear that the aforesaid order shall not be construed to be a bar for taking any legal action against the petitioners in case it is legitimately found that they are involved in any offence.

(SUVIR SEHGAL)
JUDGE

07.07.2021
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No