

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CRM-M-26068-2021
Date of decision: 12.07.2021

Hari Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. V.K.Sandhir, Advocate
for the petitioners.

...

SUVIR SEHGAL, J. (Oral)

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

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for issuance of a direction to respondents No. 1 to 3 not to unnecessary harass the petitioners by calling them to the Police Station and by raiding their house in connection with FIR No. 079 dated 22.06.2021 under Sections 302, 323, 324, 148, 149 and 427 of the Indian Penal Code, 1860 and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Sultanwind, District Police Commissionerate, Amritsar (Annexure P-1).

Counsel for the petitioners submits that petitioners are the relatives of one of the accused in FIR (Annexure P-1) 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. Sandeep Singh Deol, DAG, Punjab, who has been served with an advance copy of the petition, accepts notice. State counsel, upon instructions, from SI - Prabhdyal Singh submits that as of date, petitioners are not required in any criminal case.

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

12.07.2021
Pardeep

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