

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

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**CRM-M-27652-2021
Date of Decision:19.07.2021**

Dinesh Jain

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Neeraj Yadav, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 482 Cr.P.C. is for seeking direction to respondents No.2 and 3 not to harass the petitioner time and again on account of frivolous and repeated complaints of respondent No.5 and not to force physical appearance of petitioner at Police Station in District Hoshiarpur as he is aged about 75 years and further due to high risk of Covid-19, he is not in a position to go to the particular place as desired.

Notice of motion.

At the asking of Court, Mr. Mehardeep Singh, Additional Advocate General, Punjab, accepts notice on behalf of respondents No.1 to 4. Complete copy of paper book has been supplied to him.

Learned counsel for the petitioner at the very outset submits that though copy of notice under Section 160 Cr.P.C. (Annexure P/3) seeking appearance of petitioner was received but for want of copy of complaint, moved at the instance of respondent No.6-Shubneet Jain (brother of respondent No.5-Navneet Jain), petitioner is unable to disclose anything. He further submits that due to old age ailments, petitioner may be permitted to be examined at his residence for the purpose of Section 160 Cr.P.C.

Learned counsel for petitioner further submits that earlier, vide order dated 27.07.2020, passed in CRM-M-20476-2020, this Court had directed respondents No.2 to 4 therein to get the petitioner examined at his residence for the purpose of provisions of Section 160 Cr.P.C. Proviso to Section 160 Cr.P.C. also envisages above said facility for the senior citizens above the age of 65 years. He further submits that in the above said case, complaint was made by respondent No.5-Navneet Jain, whereas now another complaint has been moved by respondent No.6-Shubneet Jain, at the instance of respondent No.5.

Faced with this situation, learned State counsel has no objection and further assured that copy of complaint moved by respondent No.6-Shubneet Jain would be supplied by respondents No.2 to 4 to any authorized person of petitioner. He further submits that sincere efforts would be made by respondents No.2 to 4 to get the petitioner examined for the purpose of Section 160 Cr.P.C. and that too at his residence.

In view of above, the present petition is disposed of with the direction to respondents No.2 to 4 to get the petitioner examined at his residence for the purpose of provisions of Section 160 Cr.P.C. Proviso to Section 160 Cr.P.C. also envisages above said facility for the senior citizens above the age of 65 years.

(LALIT BATRA)
JUDGE

19.07.2021

Varinder Prashad

Whether speaking/reasoned : Yes/ No

Whether Reportable : Yes/ No