

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

(111)

CRWP-7530-2021

Date of decision: 12.08.2021

Balbir Singh**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Kanwar Pahul Singh, Advocate
for the petitioner.

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SUVIR SEHGAL, J. (Oral)

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

Petitioner has approached this Court under Article 226/227 of the Constitution of India for issuance of a direction to official respondents to protect his life and liberty and not to unnecessary harass the petitioner by calling him to Police Station, Sultanwind and raiding his house in connection with FIR No.79 dated 22.06.2021, registered for offences under Sections 302, 323, 324, 148, 149 & 427 of the Indian Penal Code, 1860 and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Sultanwind, District Police Commissionerate Amritsar (Annexure P-1), for arresting Manpreet Singh @ Ghula son of the petitioner, who is allegedly involved in the aforesaid FIR, whereas neither the petitioner has concern with him nor petitioner is harbouring him.

Counsel for the petitioner submits that the petitioner is the father of Manpreet Singh @ Ghula and is 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 Prabhdayal Singh submits that petitioner is 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 petitioner is 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 him.

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

(SUVIR SEHGAL)

JUDGE

12.08.2021

Pardeep

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