

107

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

CRM-M-34092-2021

Date of decision : 20.08.2021

Jagir Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. A.P.S. Tung, Advocate for the petitioners.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for issuance of a direction to respondent Nos.3 to 5 to follow the procedure of law, moreso, issue summons under Section 160 of Cr.P.C. or under Section 41-A of Cr.P.C. before calling the petitioners.

It is the case of the petitioners that a civil dispute has arisen on account of sale of land measuring 4 kanals out of the land measuring 48 kanals 3 marlas, by petitioner No.1 to respondent No.6-Sharanjit Singh, who is a retired police official. It is the case of the petitioners that on 02.08.2021, local police of Police Station Civil Lines Batala, District Gurdaspur had called both the petitioners to the Police Station and the petitioners were informed about the application moved by Sharanjit Singh-respondent No.6 regarding the purchase of the land and it is alleged that said Sharanjit Singh-respondent No.6 was demanding his money back. It is further the case of the

petitioners that they have repeatedly been called in the Police Station and there is threat to their life and liberty also.

Learned counsel for the petitioners has stated that there is no FIR pending against the petitioners and the petitioners would be satisfied in case the official respondents are directed to call the petitioners after following the procedure of law i.e. after issuance of notice under Section 160 Cr.P.C. or under Section 41-A of Cr.P.C.

Notice of motion to respondent Nos.1 to 5 only.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 5 and states that in case there is no FIR against the petitioners then the said procedure would be followed.

Keeping in view the abovesaid facts and circumstances and without commenting on the merits of the case, the present petition is disposed of with direction to the official respondents to issue notice under Section 160 of Cr.P.C. or under Section 41-A of Cr.P.C. in case the petitioners are required in any case.

However, the passing of the said order would not restrain the official respondents to proceed against the petitioners in case they are involved in any other FIR.

20.08.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No