

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-39134-2021

Date of decision : 20.09.2021

Kulbhushan

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Rajiv Kataria, Advocate
for the petitioner.

Mr.V.G.Jauhar, Sr.DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J.(ORAL)

This is petition under Section 482 of the Cr.P.C. for issuance of necessary directions to the official respondents no.2 to 4 not to harass the petitioner and his family members in the investigation of FIR no.88 dated 07.05.2021 registered under Section 420 IPC at Police Station Crime Branch, Delhi and FIR no.319 dated 08.05.2021 registered under Section 420 IPC at Police Station Govindpuri, Delhi.

Learned counsel for the petitioner has submitted that the petitioner is an old person of 68 years. The son-in-law of the petitioner, i.e. Amandeep Singh has been made as an accused during investigation of two FIRs, i.e. FIR no.88 dated 07.05.2021 and FIR no.319 dated 08.05.2021.

Learned counsel for the petitioner has submitted that the neither petitioner is involved nor is an accused in any case. It has been further submitted by the petitioner in his complaint / representation (Annexure P-3) to the Commissioner of Police, Ludhiana, that he is being called repeatedly

to the police station and is being made to sit for long hours.

Learned counsel for the petitioner has further submitted that he would be satisfied in case the respondents are directed to comply with the provision of Section 160 of Cr.P.C. before calling the petitioner for investigation in the abovesaid two cases.

Notice of motion.

On advance notice, Mr.V.G.Jauhar, Sr.DAG, Punjab, appears and accepts notice on behalf of the respondents. Although he opposed the petition by stating that in the complaint, the petitioner is also seeking to take legal action against the police officials and other persons, however, with respect to the limited relief sought by the petitioner to the effect that a notice under Section 160 of Cr.P.C. be issued, he has submitted that in case he is required in the aforesaid two FIRs, notice under Section 160 Cr.P.C. be issued to the petitioner.

Keeping in view the abovesaid facts and circumstances, this petition is disposed of with a direction to the respondents to comply with the provisions of law more particularly, provisions under Section 160 of Cr.P.C. in case the petitioner is required for investigation in the abovesaid two cases. However, in case the petitioner is involved in any of the aforesaid two cases as an accused, then the respondent officials are at liberty to proceed, in accordance with law.

(VIKAS BAHL)
JUDGE

September 20, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No