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

CRWP-9287-2021

Date of decision : 28.09.2021

Ramandeep Kaur and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Surinder Kaur, Advocate for the petitioners.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present Criminal Writ Petition filed under Articles 226/227 of the Constitution of India is for issuance of directions to the official respondents to protect the life and liberty of the petitioners.

During the course of arguments, learned counsel for the petitioners has submitted that in fact, petitioner Nos.2 to 4 have helped petitioner No.1 and petitioner No.1 is staying with petitioner Nos.2 to 4, out of her free will and without any pressure. Petitioner No.1 is a major. It is further submitted that since respondent Nos.4 to 6 are not happy with petitioner No.1 living in the house of petitioner Nos.2 to 4, thus, they have got one FIR No.188 dated 08.09.2021 registered under Sections 324, 323, 506, 380, 452, 120-B and 34 of IPC against Bodh Raj and Happy who are the sons of petitioner Nos.2 and 3 and one Mamta who is close to petitioner Nos.2 and 3.

Learned counsel for the petitioners has submitted that the petitioners are not accused in the said FIR but however they are repeatedly

being called to the police station without issuance of notice under Section 160 of Cr.P.C.

Notice of motion.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of the State and has submitted that in case, the petitioners are the accused in the abovesaid FIR, then they do not deserve any indulgence but however has submitted that if the petitioners are not accused in the abovesaid FIR and they are required to appear as witnesses, then the police officials would issue notice under Section 160 of Cr.P.C. to them, in accordance with law.

Keeping in view the abovesaid facts and circumstances, moreso the fact that as per the averments of learned counsel for the petitioners, the petitioners are not accused in the abovesaid FIR, the present Criminal Writ Petition is disposed of with direction to the official respondents to issue notice under Section 160 of Cr.P.C. to the petitioners, in case, they are required to appear as witnesses in the Police Station in FIR No.188 dated 08.09.2021 registered under Sections 324, 323, 506, 380, 452, 120-B and 34 of IPC.

However, it is made clear that in case, the petitioners are accused in the said FIR, then the benefit of the present order would not ensue to the petitioners. Moreover, nothing stated above shall be construed as an expression of opinion on the merits of the case and with respect to the abovesaid FIR or its investigation.

28.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No