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

CRWP-10253-2021

Date of decision : 28.10.2021

Parkash Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Umesh Aggarwal, Advocate for the petitioners.

Mr. A.K. Kaundal, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of directions to respondent Nos.1 and 2 to protect the life and liberty of the petitioners.

Learned counsel for the petitioners has submitted that in the present case, a civil suit was filed by the petitioners against Shukrat Kalra for permanent injunction and the said suit is pending. It has been submitted that there is civil dispute between the petitioners and the said Shukrat Kalra. Shukrat Kalra has, however, filed a complaint dated 29.07.2021 (Annexure P-2) before respondent No.2-Commissioner of Police, Amritsar. It has been submitted that respondent No.4 to whom the said complaint has been marked is repeatedly calling the petitioners without following the procedure as laid down under Section 160 of

Cr.P.C.

Learned counsel for the petitioners has submitted that the present petitioners would be satisfied in case respondent No.4 and the other police officials are directed to follow the provisions of law more so Section 160 of Cr.P.C. before the petitioners are required to be called in the complaint dated 29.07.2021 (Annexure P-2).

Notice of motion.

On advance notice, Mr. A.K. Kaundal, DAG, Punjab, appears and accepts notice on behalf of the State and has submitted that the police officials have been following the procedure in accordance with law and will also follow the same in future.

Keeping in view the abovesaid facts and circumstances, the present Criminal Writ Petition is disposed of with direction to respondent No.4 and the other police officials to issue notice under Section 160 of Cr.P.C. in writing, in case, the petitioners are required in the complaint dated 29.07.2021 (Annexure P-2).

It is, however, clarified that this order shall not debar the State from proceeding against the petitioners, if involved in any case.

28.10.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No