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

CRWP-10360-2021

Date of decision : 01.11.2021

Manjeet Kaur Chahal and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rishu Mahajan, 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 Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus for directing respondent Nos.2 and 3 to protect the life and liberty of the petitioners and also to comply with the provision of law, more so Section 160 of Cr.P.C. before calling the petitioners to the Police Station.

Learned counsel for the petitioners has submitted that petitioner No.1 is 60 year old mother-in-law of respondent No.6 and petitioner No.2 is brother-in-law of respondent No.6. It is submitted that on the complaint of respondent No.6, two enquiries have taken place and both the enquiries were held in favour of the petitioners. It is contended that the petitioners are

being repeatedly called again and again by respondent Nos.4 and 5 and without complying with the provisions of Section 160 of Cr.P.C. It is further contended that no FIR has been registered against the petitioners as yet.

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

On advance notice, Mr. A.K. Kaundal, DAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 5 and has submitted that the respondents are complying with the provisions of law and are only enquiring/investigating the complaint filed by respondent No.6.

Keeping in view the abovesaid facts and circumstances, more so the fact that the petitioners are not an accused in any FIR, the present Criminal Writ Petition is disposed of with direction to respondent Nos.4 and 5 to issue notice under Section 160 of Cr.P.C. and to comply with the provisions of law before calling the petitioners in the complaint dated 20.04.2021 (Annexure P-3) filed by respondent No.6.

However, in case there is FIR registered against the petitioners, then the present order would not ensue any benefit to the petitioners.

01.11.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No