

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CRM-M-1667 of 2022
Date of decision:17.01.2022

Mukhtiar Singh and another

... Petitioners

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ranbir Singh Sekhon, Advocate
for the petitioners.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 482 Cr.P.C for directing official respondents No.2 and 3 not to harass the petitioners at the instance of private respondents No.4 and 5 by repeatedly calling them to the Police Station in FIR No.1 dated 04.01.2022 for commission of offences under Sections 363, 366-A of Indian Penal Code, 1860 at Police Station Sadar Jalalabad, District Fazilka.

Counsel for the petitioners submits that the above mentioned FIR has been registered by respondent No.4 on the allegation that Sonu son of the petitioners, has enticed his daughter on the pretext of marriage. Counsel submits that son of the petitioners is missing from his home since 31.12.2021/01.01.2022 and the petitioners are not aware of his whereabouts and despite this fact, they are being repeatedly called to the Police Station

and harassed by the official respondents without complying with the mandatory provisions of the Code of Criminal Procedure.

Notice of motion to respondents No.1 to 3 only, at this stage.

On asking of the Court, Mr. Prabhjot Singh Walia, Assistant Advocate General, Punjab accepts notice on their behalf. Upon instructions from ASI Mukhtiar Singh, he submits that neither the petitioners have been called to the Police Station nor are they accused in the said FIR.

Counsel for the parties have been heard.

In view of the statement made by the State counsel, without commenting upon veracity of the allegations made in the petition and considering the fact that petitioner No.2 is a lady, the petition is disposed of with a direction to the official respondents that in case the petitioners are required to be associated with the above said FIR, then a written advance notice be served upon them, in terms of the provisions of Section 160 Cr.P.C.

It is clarified that above said order shall not be construed to be a bar for taking any legal action against the petitioners in case they are found to be accused in the said FIR or in any other criminal case.

January 17, 2022
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No