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

CRM-M-7987-2022

Date of decision : 24.02.2022

Umesh Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Babalpreet Singh, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. in which several prayers have been made including the prayer for issuance of directions to the official respondents to give five days prior notice under Section 160 of Cr.P.C., in case, the petitioner is required in any complaint moved by respondent No.6, who is the wife of the petitioner.

Learned counsel for the petitioner has submitted that in the present petition, the petitioner does not press the other prayers made and only the prayer with respect to issuance of notice under Section 160 of Cr.P.C. is being pressed. It is submitted that till date, no FIR has been registered against the petitioner but the police officials, on the complaint moved by respondent No.6, which has not been shown to the petitioner, are repeatedly calling the petitioner without issuance of any notice under

Section 160 of Cr.P.C.

Learned counsel for the petitioner has stated that the petitioner would be satisfied at this stage, in case, the present petition is disposed of with directions to the official respondents to issue notice under Section 160 of Cr.P.C. prior to calling him to the Police Station on the complaint filed by respondent No.6.

Notice of motion to respondent Nos.1 to 4 only.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 4 and has submitted that in case, no FIR has been registered against the petitioner, then, notice, in accordance with law, would be issued to the petitioner.

Keeping in view the abovesaid facts and circumstances of the present case, the present petition is disposed of with directions to the official respondents to issue notice under Section 160 of Cr.P.C. to the petitioner, in case, he is required to be called for enquiry in the complaint moved by respondent No.6.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

It is made clear that in case, there is FIR registered against the petitioner, then the present order would not ensue any benefit to the petitioner.

24.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No