

106

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

CRM-M-10068-2022

Date of decision : 09.03.2022

Bhupinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajbir Singh, Advocate for the petitioners.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for issuance of directions to the official respondents to follow the procedure in accordance with law including the provision of Section 160 of Cr.P.C. before calling the petitioners to the Police Station for enquiry.

Learned counsel for the petitioners has submitted that the petitioners have given a detailed representation dated 03.03.2022 (Annexure P-5) to Senior Superintendent of Police, Sangrur-respondent No.2 by specifically stating therein that agreement to sell was executed between the petitioners and respondent No.5 and on account of the same, there was a dispute between the parties but however, respondent No.5 has not filed any civil suit in pursuance of the same and the petitioners are now being repeatedly called to the Police Station, the details of which have been stated in paras 5 and 6 of the said representation and the petitioners are being

forced to get the sale deed registered in favour of respondent No.5. He has further submitted that till date, there is no FIR which has been registered against the petitioners and the petitioners are repeatedly being called to the Police Station without even issuing notice in writing under Section 160 of Cr.P.C.

Notice of motion to respondent Nos.1 to 3 only.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3. Although, he has opposed the present petition but however, has submitted that in case, no FIR has been registered against the petitioners, then, notice, in accordance with law, would be issued to the petitioners.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with directions to respondent Nos.1 to 4 to issue notice under Section 160 of Cr.P.C., seven days prior to the date when the petitioners are sought to be called with respect to any complaint submitted by respondent No.5, for the purpose of enquiry.

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 an FIR registered against the petitioners, then, the present order would not ensue any benefit to the petitioners.

09.03.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No