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

CRM-M-13298-2022

Date of decision : 30.03.2022

Balwant Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ramandeep Singh Pandher, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 482 of Cr.P.C. for issuance of directions to respondent Nos.1 to 4 for not harassing the petitioner and his family members on the complaints submitted by respondent Nos.5 and 6 as the matter is stated to be a purely civil in nature and two civil suits have already been filed by respondent Nos.5 and 6 for specific performance and the same are pending.

Learned counsel for the petitioner has submitted that the petitioner is a 76 year old person and there is a civil dispute between the parties, on account of which, two civil suits have been filed by respondent Nos.5 and 6 and till date, the petitioner has not been arrayed as an accused in any FIR and respondent Nos.5 and 6 have given complaints with respect to the abovesaid dispute, regarding which, the civil suits are pending.

Learned counsel for the petitioner has submitted that the

petitioner would be satisfied in case, the present petition is disposed of with directions to respondent Nos.1 to 4 to issue written notice of 7 days under Section 160 of Cr.P.C. to the petitioner in case, he is required for/in any enquiry with respect to any complaint moved by respondent Nos.5 and 6.

Notice of motion to respondent Nos.1 to 4.

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of the State and has submitted that in case, the petitioner is not involved in any criminal case then the due procedure as prescribed in law would be followed.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with a direction to respondent Nos.1 to 4 to issue a written notice for 7 days under Section 160 Cr.P.C. to the petitioner, in case, he is required for the purpose of enquiry in any complaint moved by respondent Nos.5 and 6 with respect to the property in dispute between the parties.

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 petitioner then liberty would be granted to the State to proceed in accordance with law and the present order would not ensue any benefit to the petitioner.

30.03.2022

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No