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

CRWP-3480-2022

Date of decision : 19.04.2022

Harpreet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ashish Pal Kaushal, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India read with Section 482 of Cr.P.C. for issuance of directions to the official respondents to give written notice under Section 160 of Cr.P.C. before the petitioner is called for the purpose of any investigation in FIR No.61 dated 03.04.2022 registered under Sections 302/323/506/148/149/120-B of the Indian Penal Code, 1860 at Police Station Tibba, Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner is not an accused in FIR No.61 dated 03.04.2022 and is being repeatedly called to the Police Station without issuance of any written notice under Section 160 of Cr.P.C. only on account of the fact that her brother-in-law is an accused in the said case. It is further submitted that the petitioner is residing separately from her brother-in-law.

Learned counsel for the petitioner has further stated that the petitioner would be satisfied at this stage, in case, the present Criminal Writ

Petition is disposed of with directions to the official respondents to issue written notice under Section 160 of Cr.P.C. to her, prior to calling her to the Police Station for the purpose of an enquiry in FIR No.61 dated 03.04.2022.

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

On advance notice, Mr. Sukhbeer Singh, AAG, Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 and has submitted that he is fully prepared to argue the matter and assist this Court. He has submitted that in case, the petitioner is not an accused in the abovesaid FIR, then the procedure, in accordance with law, would be followed.

Keeping in view the abovesaid facts and circumstances, moreso, the fact that the petitioner, as per argument of learned counsel for the petitioner, is not an accused in FIR No.61 dated 03.04.2022 registered under Sections 302/323/506/148/149/120-B of IPC at Police Station Tibba, Ludhiana, the present Criminal Writ Petition is disposed of with directions to the official respondents to issue written notice under Section 160 of Cr.P.C. to the petitioner, before she is sought to be called for the purpose of enquiry in the abovesaid FIR.

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

It is made clear that the present order would not ensue any benefit to the petitioner in case, she is or in future is nominated in the present case.

19.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No