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

CRM-M-17484-2022

Date of decision : 27.04.2022

Jasbir Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ritesh Pandey, 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 issue written notice under Section 160 of Cr.P.C., in case, the petitioners are required with respect to any enquiry in FIR No.18 dated 06.03.2022 registered under Sections 302, 307, 148, 149 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, at Police Station Kalanaur, District Gurdaspur.

Learned counsel for the petitioners has submitted that Amritpal Singh, who is the son of petitioner No.1 and the husband of petitioner No.2, has been arrayed as an accused in abovesaid FIR No.18 dated 06.03.2022. It is further submitted that the petitioners have not been made accused in the said FIR and are ladies who are residing in their house alongwith a minor child and the petitioners are being repeatedly called to the Police Station, without any issuance of a written notice under Section 160 of Cr.P.C., for the purpose of enquiry in the abovesaid FIR.

Learned counsel for the petitioners has stated that the petitioners would be satisfied at this stage, in case, the present petition is disposed of with

directions to the official respondents to issue written notice under Section 160 of Cr.P.C. prior to calling them to the Police Station for the purpose of enquiry in the abovesaid FIR.

Notice of motion.

On advance notice, Mr. Sarabjit S. Cheema, AAG, Punjab, appears and accepts notice on behalf of the respondents and has submitted that in case, the petitioners are not involved in the present FIR or in any other criminal case, then, the procedure as enshrined under Section 160 of Cr.P.C., would be followed.

Keeping in view the abovesaid facts and circumstances moreso, the fact that as per the case of the petitioners, they are not involved in abovesaid FIR No.18 dated 06.03.2022 or in any other criminal case, the present petition is disposed of with directions to the official respondents to issue written notice under Section 160 of Cr.P.C. to the petitioners, in case, they are required to be called for enquiry in FIR No.18 dated 06.03.2022 registered under Sections 302, 307, 148, 149 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, at Police Station Kalanaur, District Gurdaspur.

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 petitioners, then the present order would not ensue any benefit to the petitioners.

27.04.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No