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

CRWP-4217-2022

Date of decision : 06.05.2022

Sahab Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. K.D.S. Hooda, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

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**VIKAS BAHL, J. (ORAL)**

This is a Criminal Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing respondent Nos.2 and 3 to protect the life, liberty and property of the petitioner and his family members and to comply with the provision of Section 160 of Cr.P.C. by giving written advance notice in case the petitioner (or his family members) are required in any case, in which, son of the petitioner namely Vishal is involved.

Learned counsel for the petitioner has submitted that petitioner is 53 year old person and is not involved in any criminal case. It is further submitted that the petitioner has given representation dated 28.04.2022 (Annexure P-2) to respondent No.2-Superintendent of Police,

Kurukshetra, in which, he has highlighted the facts that his son namely Vishal @ Vicky is involved in several criminal cases including FIR No.164 dated 16.04.2022 registered under Sections 302/120-B of the Indian Penal Code, 1860 and Arms Act at Police Station Sector-17, HUDA, Jagadhri and the petitioner has disowned the said Vishal from his moveable and immoveable property in the year 2018 and does not know the whereabouts of Vishal. It is further contended that the petitioner is being pressurized by the police to produce him and the procedure as per law, including the provisions under Section 160 of Cr.P.C., is not being followed.

Learned counsel for the petitioner has 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 notice under Section 160 of Cr.P.C. prior to calling him 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 respondents and has submitted that in case, no FIR is registered against the petitioner, then, procedure in accordance with law would be followed.

Keeping in view the abovesaid facts and circumstances of the present case, the present Criminal Writ Petition is disposed of with directions to the official respondents to issue 7 days advance written notice under Section 160 of Cr.P.C. to the petitioner, in case, he is

required to be called for the purpose of enquiry in FIR No.164 dated 16.04.2022 registered under Sections 302/120-B of the Indian Penal Code, 1860 and Arms Act at Police Station Sector-17, HUDA, Jagadhri.

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.

**06.05.2022**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**