

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CRM-M No.25769 of 2022

Date of decision:06.06.2022

Sukhwinder Kaur

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. S.S. Rana, Advocate for the petitioner.

SUVIR SEHGAL J.

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, (for short - "the Code"), seeking protection of life and liberty of the petitioner as respondents No.3 and 4 are harassing her and calling her to the police station without their being any complaint or criminal case against her. Another prayer has been made for issuance of directions to respondent No.3 to comply with the provisions of Section 41-A read with Section 160 of the Code.

Counsel for the petitioner submits that although the petitioner and her son, Bikramjit Singh, have clean antecedents, but respondent No.3 acting at the behest of respondent No.4, with whom they have a previous enmity, has been calling them time and again to the police station and trying to implicate them in a false case. Counsel further submits that petitioner's son intends to go abroad and his interview with Switzerland Visa Application Centre, New Delhi, is scheduled on 08.06.2022. A reference has been made by him to the Police Clearance Certificate dated 03.09.2021, Annexure P-2, issued to the petitioner's son by Senior Superintendent of Police, Jalandhar Rural, Punjab.

Notice of motion to respondents No.1 and 2 only at this stage,

which is accepted by Mr. A.S. Gill, Sr. DAG, Punjab. Upon instructions, he submits that as of date, the petitioner is not required in any criminal case.

In view of the statement made by State counsel and without commenting upon the veracity of the allegations levelled by the petitioner, present petition is disposed of with a direction to respondents No.1 and 2 that in case the petitioner is required in any criminal matter, then an advance written notice in terms of the provisions of Section 160 of the Code be served upon her.

It is, however, made clear that the aforesaid order shall not be construed to be a bar from taking any legal action against the petitioner in case she is legitimately found to be involved in any offence.

06.06.2022

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes