

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

230

CRWP-8083-2021

Date of decision: 10.03.2022

LAKHWINDER SINGH AND ORS.

.....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Chandan Singh, Advocate
for Mr. Divij Datt, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab

SANT PARKASH, J. (ORAL)

Petitioners have filed the present petition under Article 226 of the Constitution of India for issuance of directions to respondents not to harass them on account of registration of FIR No. 70 dated 25.07.2021 (Annexure P-1) in which their family members are an accused for the alleged commission of offences punishable under Section 302/34 of the IPC and Sections 25 and 27 of the Arms Act.

Notice of the petition was given on 26.08.2021 and the State was directed to file reply.

In compliance to the same, reply has already been filed by the State.

As per the reply, the police is making raids at the possible hideouts of the accused as well as the house of the petitioners but the police is not harassing the petitioners nor calling them in the police station.

Learned Counsel for the petitioners, while pointing out towards order dated 26.08.2021 would request that in future also if the petitioners are to be summoned for joining the investigation, they should be summoned only after following due process prescribed in law.

The request made by learned Counsel for the petitioners is acceded to and respondent No. 3- Senior Superintendent of Police, Fazilka is directed to ensure that in future also, if the petitioners are required to be summoned in the present FIR for joining any investigation etc. then they shall be summoned after following due procedure of law prescribed in Code of Criminal Procedure 1973.

The petition stands disposed of with the aforesaid order.

10.03.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No