

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

CRM-M-43786-2021

Date of decision : 25.04.2022

Manan Sawhney and others

.....Petitioners

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate and
Mr. Prabhdeep Singh Binder, Advocate
for the petitioners.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Mohit Rathee, Advocate
for respondent No.2.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of direction to the arresting officer to issue notice of ten days in the event the petitioners are sought to be arrested in complaint No.9114 dated 09.09.2021 titled as Bhanu Sawhney Vs. Manan Sawhney and others pending under Sections 406, 498-A, 354, 376 of IPC at Police Station Yamuna Nagar.

Learned Senior Counsel has submitted that the apprehension of the petitioners is that they may not be harassed and humiliated by the investigating agency in a frivolous manner. This Court vide order dated 31st March, 2022 on a joint request of the parties, had passed an order and adjourned the case for today.

Learned State counsel has drawn the attention of this Court to the status report filed wherein, it has been mentioned that there is no FIR registered against the petitioners. However, on the complaint filed by complainant they were called by issuing notice.

On interaction with counsel for the parties, they are *ad idem* that if the State follows the directions given by this Court on 31st March, 2022, they would be satisfied. The order dated 31st March, 2022 read as under:-

“On interaction with counsel for the parties and learned State counsel, apprehension projected by learned senior counsel is regarding playing of any mischief by the other side, if they go to join the proceedings in Police Station.

However, learned State counsel has apprised the Court that the petitioners would be duly given notice under Section 41A Cr.P.C. for joining the proceedings. He further submits that all the precautionary measures would be taken to create a conducive atmosphere to proceed with the matter.

On joint request, adjourned to 25.4.2022.”

In view of the above, the State is directed that in case they want to proceed against the petitioners, the same should be as per the spirit of the order dated 31st March, 2022.

Petition is disposed of in above-mentioned terms.

25.04.2022
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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