

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRWP-11813-2022

Date of decision : 16.12.2022

Jaswinder Kaur and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present:- Mr.Tarun Singla, Advocate
for the petitioners.

Mr. Ramdeep Partap Singh, Sr.DAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is the Criminal Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ of mandamus directing respondents no.1 to 4 to safeguard the life and personal liberty of the petitioners and their family members.

Learned counsel for the petitioners has submitted that in the present case one FIR no.137 dated 28.11.2022 has been got registered by the complainant against Tarsem Singh, husband of petitioner no.1 under Sections 376, 354-A, 506 IPC and the husband of the petitioner is abroad and the petitioners are being repeatedly called in the police station without issuance of any notice under Section 160 Cr.P.C. It is further submitted that the petitioners would be satisfied in case the official respondents are directed to serve a written notice under Section 160 Cr.P.C. of 5 days in case the petitioners are required with respect to any enquiry in the abovesaid

FIR. It is stated that the petitioners are not the accused in the abovesaid FIR or in any other case.

Notice of motion.

Mr. Ramdeep Partap Singh, Sr.DAG, Punjab, accepts the notice and appears on behalf of respondents no.1 to 4 and has submitted that the petitioners would be called, in accordance with law.

Keeping in view the abovesaid facts and circumstances, the present petition is disposed of with a direction to the official respondents to follow the procedure of the law and give a written notice of 5 days in case the petitioners are required with respect to any enquiry / investigation in FIR no.137 dated 28.11.2022. The said order will not enure to the benefit of the petitioners in case the petitioners are the accused in the present FIR or in any other FIR.

(VIKAS BAHL)
JUDGE

December 16, 2022

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No