

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

113-CRM-M-358-2023

Date of Decision: 06.01.2023

GAUTAM

... Petitioner

VS.

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR.JUSTICE SANDEEP MOUDGIL

Present: Mr. SS Rana, Advocate and
Mr. Akshay Rana, Advocate for the petitioner

Sandeep Moudgil, J. (Oral)

The grievance of the petitioner is that he is being called upon by the police, time and again, to join the enquiry proceedings, probably for the offences under Section 498-A/406 IPC. Learned counsel for the petitioner has contended that such action of the police authorities is in violation of Section 160 CrPC as well as the *ratio* laid down in **Arnesh Kumar vs. State of Bihar & Anr. 2009(3) RCR 792.**

Counsel for the petitioner, after addressing this Court for some time, states that he will be satisfied, if a direction is issued to respondent No.3, to consider his representation and pass a speaking order.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG Punjab accepts notice.

Having heard learned counsel for the parties, this petition is disposed of with a direction to respondent No.3 to consider the representation submitted by the petitioner dated 24.12.2022 (Annexure P1) and decide the same within a period of 2 weeks from today, by passing a speaking order, in accordance with law. Copy of the said order shall be supplied to the petitioner, within next 3 days thereafter.

Disposed of.

06.01.2023

V.Vishal

1. Whether speaking/reasoned?
2. Whether reportable?

(Sandeep Moudgil)
Judge

Yes/No
Yes/No