

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-1123-2002 (O&M)
Date of decision: 10.03.2023

Court on its own motion

... Petitioner

Vs.

Balbir Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: None for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This reference is made by the Additional District & Sessions Judge, Fatehgarh Sahib that ASI Balbir Singh, who was posted at Police Station Bassi Pathana, has violated the directions dated 18.09.1998 passed by his predecessor, while effecting arrest of accused Amar Singh, as 07 days prior notice was not given to him.

Learned State counsel, on the basis of affidavit of Deputy Superintendent of Police, Sub Division Bassi Pathana, District Fatehgarh Sahib, submits that an inquiry was conducted and it was found that notices of arrest (Annexures R-1 & R-3) were duly given and even an endorsement was made in the police zimny in this regard. It is further submitted that during the inquiry, it came to the notice that contemnors could not bring all these facts to

notice of the Additional Sessions Judge before the reference was made to this Court as in fact, proper compliance of the order was made and a prior notice was issued to accused Amar Singh and the same was duly acknowledged by him on 22.10.1998 by putting his signatures on the notice, vernacular of which is attached as Annexure R-2.

In view of the above, no willful disobedience is made out.

Dismissed.

**[ARVIND SINGH SANGWAN]
JUDGE**

10.03.2023
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No