

253

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4265-2022 (O&M)

Date of decision: 01.08.2023

Rattan Lal Gupta

....Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr.Rohit Singh, Advocate for
Mr. S.S.Dinarpur, Advocate for petitioner.

Mr. Karan Garg, AAG, Haryana.

Mr.Nand Lal Sammi, Advocate for
for respondents No. 6 to 10.Mr. Ram Kumar Saini, Advocate,
for respondent no.11

ARUN MONGA, J. (ORAL)

Present petition has been filed under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') *inter alia*, seeking appropriate action against respondents no.3 to 5 who are harassing, humiliating and torturing the petitioner physically as well as mentally by calling him repeatedly in the Police Station and Police Post every now and then and making him sit there from morning till evening at the instance of respondents no.6 to 9 who are politically influential and financially strong. He further seeks issuance of a direction to respondents no.2 to 5 to take appropriate steps against respondents no.6 to 9 who are after the life and blood of the petitioner, only because of the fact that petitioner is a witness of proforma respondent no.11 in both Civil/ Criminal cases filed by respondents no.6 to 9 against proforma respondent no.11 and similarly in the cases filed by respondent no.11 against respondents no.6 to 9 over the partition of the family property.

2. Per contra, learned State counsel relies on fresh status report dated 10.11.2022 and submits that respondent no.2/-SP, Yamunanagar, would comply with the mandatory provisions of the Cr.P.C., including the provision of Section 160 Cr.P.C., before calling the petitioner, in case the petitioner is not involved in any other case.

3. In the premise, present petition is disposed of with a direction to the official respondents to issue a notice under Section 160 Cr.P.C. in writing before calling the petitioner for any enquiry, in case there is no FIR already registered against the petitioner.

4. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

01.08.2023

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No