

107

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-28874-2023****Date of decision: 23.08.2023**

Mohinder Pal Chawla

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Armaan Gagneja, Advocate
for the petitioner.

Mr. Dhruv Dayal, Addl. A.G., Punjab.

ARUN MONGA, J. (ORAL)

Instant is a petition under Section 482 Cr.P.C. for issuance of directions to respondent No.5 not to harass the petitioner and his wife unnecessarily and to prohibit respondent No. 5 from visiting the house of the petitioner and not to interfere in petitioner's life.

2. Learned counsel for petitioner submits that respondent No. 5 and a few unknown police officials visit the shop of the petitioner and create ruckus over there. They visit his shop and threaten him to advance them money without any collateral security and forget it after advancing the same.

2.1 He would further canvass that no FIR has been registered against the petitioner. He and his family are being repeatedly called by respondent Nos.5 and other police officials without complying with the mandatory provisions of Section 160 Cr.P.C.

3. Notice of motion.

-2-

4. On asking of Court, learned State counsel accepts notice on behalf of the respondent-State of Punjab. He, on instructions from HC Jagmeet Singh, submits that respondent No.2 would comply with the mandatory provisions of the Cr.P.C., including the provisions of Section 160 Cr.P.C., before calling petitioner, in case the petitioner is not involved in any other case.

5. 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.

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

(ARUN MONGA)
JUDGE

23.08.2023

Harish Kumar

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No