

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31194-2023

Date of decision: 26.06.2023

MAJOR SINGH AND ORS.

...Petitioners

V/s

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. T.P.S. Tung, Advocate
for the petitioners.

DEEPAK MANCHANDA J. (ORAL)

Present petition has been filed under Section 482 of Cr.P.C. seeking issuance of direction to respondent Nos. 2 to 5 not to call the petitioners to the Police Station without issuance of summons as required under Section 160 Cr.P.C. or 41-A of Cr.P.C. and further seeking directions to respondent Nos. 2 to 5 not to harass the petitioners.

Learned counsel for the petitioners contends that the respondent Nos. 2 to 5 have conducted raids repeatedly at the house of the petitioners without any reason and petitioners are being called to the Police Station unnecessarily.

Notice of motion.

Mr. M.S. Nagra, AAG Punjab, who is present in the Court accepts notice and on instructions, submits that son of petitioner Nos. 1 and 2, husband of petitioner No. 3 and son-in-law of petitioner No. 4, are wanted in FIR No. 63 dated 09.06.2023 and denies the allegation about raiding the house of the petitioners.

Faced with this, learned counsel for the petitioner confines himself to the limited prayer that in case the petitioners are required for any

investigation, police authorities should follow legal procedure by issuing a week’s notice under Section 160 Cr.P.C. or under Section 41-A of Cr.P.C.

Learned State counsel does not object to the prayer made by learned counsel for the petitioner.

In view of the above, present petition is disposed of with a directions to respondent Nos. 2 to 5 to issue a week’s notice under Sections 160 Cr.P.C. or under Section 41-A Cr.P.C. to the petitioners, in case they are required for any investigation.

(DEEPAK MANCHANDA)
JUDGE

26.06.2023
Ajay Goswami

Whether speaking/reasoned	Yes
Whether reportable	Yes/No