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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-35425-2023 (O&M)****Date of decision: July 24, 2023**

Yadwinder Singh

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Kehar Singh Hissowal, Advocate for petitioner.

Mr. Dhruv Dayal, Additional AG Punjab.

ARUN MONGA, J. (ORAL)

Instant is a petition under Section 482 Cr.P.C. for issuance of directions to respondent No.2-Senior Superintendent of Police, Kapurthala to consider application/ representation dated 27.06.2023 (Annexure P-2) of the petitioner and instruct respondent No.3-Station House Officer, Police Station, City Phagwara, District Kapurthala to not harass the petitioner at the instance of private respondents.

2. Learned counsel for petitioner submits that marriage of petitioner was solemnized with respondent No.4 and out of wedlock, 2 children (one boy and one girl) were born. Respondents No.5 and 6 are father-in-law and mother-in-law of the petitioner. Unfortunately, their marriage turned uncordial. On 04.06.2023, respondent No.4 gave a complaint against petitioner making false allegations. Petitioner is being harassed on one pretext or the other by calling him time and again in the Police Station and making him to sit there for almost whole of the day. Petitioner gave representations to the police for not harassing him, but to no avail.

3. Petitioner is allegedly being repeatedly called by respondent No.2 without complying with the mandatory provisions of Section 160 Cr.P.C.

4. Learned State counsel submits that though reply is yet to be filed, however, he on instructions from ASI Sukhwinder Kumar submits that respondent

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No.2 would comply with the mandatory provisions of Cr.P.C, including Section 160 thereof, before calling petitioner, in case the petitioner is not involved in any other case.

5. In the premise, 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 other FIR registered against the petitioner.

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

(ARUN MONGA)
JUDGE

July 24, 2023

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No