

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-8639-2023

Date of Decision :- 02.09.2023

Paramjeet Kaur and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Ms.Shivya Sehgal, Advocate
for the petitioners.

SUVIR SEHGAL, J. (ORAL)

1. By way of present writ petition under Article 226/227 of the Constitution of India, petitioners have approached this Court *inter alia* for issuance of direction to respondents No.2 and 3 to protect their lives and personal liberty as they are being harassed and unlawfully detained in the police station.

2. Counsel for the petitioners submits that official respondents No.4 and 5 along with a police team raided the residence of petitioners in the early morning hours on 21.07.2023 and started searching the house. Upon inquiry, they were told that Tirlok Singh, son of petitioners No.1 and 2 has been named as an accused in FIR No.580 dated 15.07.2023

lodged for offence under Sections 419, 420, 34 IPC at Police Station Rani Bagh, Delhi and they have come to apprehend him. When the petitioners informed the police team that they are not in contact with their son, they forcibly took petitioners No.2 and 7 with them to the police station and detained them for a number of hours. They repeated the same action a week later. Petitioners submitted a representation dated 30.07.2023, Annexure P1 to Commissioner of Police, Ludhiana – respondent No.3, seeking protection which, according to the counsel has not been attended to.

3. Notice of motion.

4. On asking of Court, Mr.Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondents. Upon instructions from HC Gurpreet Singh, he submits that the incidents, as alleged, never took place as the police team never raided the premises of the petitioners nor detained any of them. On specific query, he has instructions and submits that as of date, none of the petitioners is required in any criminal case.

5. Having considered the submissions made by counsel for the parties and keeping in view the statement made by the State counsel, but without commenting upon the veracity of the allegations levelled by the petitioners, instant petition is disposed of with a direction to the respondents that in case the petitioners are required in any criminal matter, then an advance notice in terms of Section 160 Cr.P.C. be served upon them.

6. It is made clear that the aforesaid order shall not be construed to be a bar from taking any legal action against any of the petitioners in case

they are legitimately found to be involved in any offence.

02.09.2023
Brij

(SUVIR SEHGAL)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No