

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

275

CRM-M-49153-2019 (O&M)

Date of decision: 18.08.2023

Satinderjit Singh Arora

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Aditya Narayana Arya Garg, Advocate for
Mr. Rahul Sharma, Advocate, for the petitioner.
Mr. Aditya Kapoor, AAG, Punjab.

AMAN CHAUDHARY, J.

1. The present petition has been filed under Section 482 Cr.P.C. for issuance of direction to respondent Nos.1 and 2 to transfer the investigation of the complainant preferred by respondent No.5 against the petitioner to outside the jurisdiction of Police District SAS Nagar and to ensure that the petitioner is not harassed by respondent Nos. 3 and 4 or any other police official.

2. On 19.11.2019, this Court had passed the following order:

“Learned counsel for the petitioner submits that despite a dispute raised by respondent no.5 before the National Company Law Tribunal, Chandigarh Bench, qua payment to be made by the company of the petitioner, he has now been rung up time and again by the office of the Deputy Superintendent of Police, Dera Bassi, and summoned there, with allegedly a threat being meted out to him that unless the money to respondent no.5 is paid, an FIR would be registered against the petitioner.

Notice of motion for 17.12.2019.

Mr. B.S.Sewak, Addl. A.G, Punjab, at the asking of the Court, accepts notice. A copy of the petition be handed over to him.

The Inspector General of Police, Ropar Range, is directed to go into the matter and determine as to why, without any appropriate notices issued etc. (if that is so) the petitioner has been summoned by the office of the DSP / the DSP himself, with learned counsel for the petitioner having also given his mobile number, with the details of the calls from the DSP also given, in paragraph 9 of the petition (the dates and time of the calls received by him from that number also shown).

The Inspector General of Police, Ropar Range, would have the matter inquired into and if any action is found necessary to be taken against the officer, that shall be stated in the affidavit to be filed by him.

In the meanwhile, the Inspector General of Police shall ensure that the petitioner is not summoned to any police station or any police officer's office without due process of law being followed, if at all the petitioner is required in connection with any criminal proceedings pending at any stage.

The petitioner would also give the mobile number(s) as regards the mobile phone from which the calls in question have been received, to the Inspector General of Police.

A copy of this order be given to learned State counsel under signatures of the Court Secretary.”

3. Pursuant to that, an affidavit dated 16.12.2019 had been filed by IGP, District Rupnagar. Learned State counsel makes a reference to para No.6, the relevant portion of which reads thus:

“It is further submitted that in compliance of the order dated 19.11.2019 passed by this Hon'ble Court, the deponent has issued necessary directions to all the concerned police stations to not summon the petitioner to any police station or any police officer's office without due process of law being followed, if the petitioner is required in any criminal proceedings.”

4. In view of the above, no further orders are required to be passed in the present petition.

5. Disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

18.08.2023

Ankur

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No