

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(240)

CRM-M-60934 of 2022
DATE OF DECISION:-15.02.2023

Avtar Singh and others

...Petitioners

vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Prince Sharma, Advocate, for the petitioners.

Mr. Aditya Kapoor, AAG, Punjab.

HARKESH MANUJA, J.

By way of present petition filed under Section 482 Cr.P.C., prayer has been made for issuance of direction to respondents No.2 and 4 not to conduct unnecessary raids at the house of the petitioners.

In the present case, son of the petitioners namely Amandeep Singh @ Pattu, has been arrayed as an accused in FIR No.119 dated 02.09.2022 under Sections 302/341/506/148/149/120-B IPC, 1860 registered at Police Station Sultanwind, District Amritsar (Police Commissionerate Amritsar) besides 6 others. The son of the petitioner has not been apprehended so far.

By way of present petition, learned counsel for the petitioners submits that on account of non-appearance of son of petitioners No.1 and 2 before the investigating agency, unnecessary raids are being conducted at the house of the petitioners who have nothing to do with the present offence.

In response to the notice of motion, the State has filed a short reply by way of an affidavit dated 15.02.2023 of Lakhwinder Singh, PPS,

Assistant Commissioner of Police, Emergency Response System, Additional Charge South, Amritsar, wherein, it has been submitted that the raids were being conducted at the residence of petitioners in order to apprehend Amandeep Singh @ Pattu and no undue or untoward harassment was being caused to the petitioners and neither they were detained nor even called to the police station. The operative portion of Para-10 of the aforesaid affidavit is reproduced hereunder for reference:

“10.....it is evident that Amandeep Singh @ Pattu son of the petitioners No.1 and 2 and husband of the petitioner No.3 is an absconding accused person in the aforesaid case/FIR No.119, dated 02.09.2022, under Sections 302/341/506/148/149/120B IPC, Police Station Sultanwind, Amritsar City, wherein Amandeep Singh @ Pattu along with other co-accused persons has killed the deceased Shiv Kumar by causing him injuries with their respective weapons. Therefore, raids are being conducted at the residential house of the petitioners in order to evade his arrest by the Investigating Officer i.e. respondent No.4, but no undue or untoward harassment has ever been caused to the petitioners and they have never been detained or called at the police station.....”

In view of the reply filed at the instance of respondent-State wherein, it has been specifically stated that neither the petitioners have ever been detained nor called at the police station. Even undue or untoward harassment has not been caused to them ever. Thus, nothing substantial survives to be adjudicated upon at this stage in the present petition and as such, the same is disposed of accordingly.

15.02.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No