

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

(131)

CRWP-11760-2023
Date of Decision:-06.12.2023

Kulwinder Singh and another**...Petitioners****VERSUS****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

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

SUVIR SEHGAL, J. (Oral)

1. By way of present petition filed under Article 226 of the Constitution of India, petitioners have *inter-alia* sought issuance of direction to official respondents No.2 and 3 to protect their life and liberty as they are being unnecessarily harassed and are being called to the police station. Another prayer has been made for directing the respondents to comply with the provisions of the Code of Criminal Procedure, in case, the petitioners are required in any complaint and for directing the respondents to consider their application dated 10.11.2023, Annexure P-1.

2. Counsel for the petitioners submits that petitioner No.1 is a Panchayat Officer and his wife, petitioner No.2, is a housewife. They have two children, Baldeep Kaur, who is married, and Fateh Singh, who has been named as an accused in FIR No.191 dated 25.10.2023 lodged for offences under Sections 302, 307, 148, 149, IPC, Sections 25 and 27 of the Arms Act at Police Station Cantonment, District Amritsar. Counsel submits that the petitioner's son is beyond their control and they are not aware of his

whereabouts. As respondents No.2 and 3 have been unable to apprehend him, they have been repeatedly raiding the house of the petitioners and forcing them to come to the police station. They are being threatened of implication in false cases. Counsel submits that the petitioners have submitted a representation dated 10.11.2023, Annexure P-1, to the Commissioner of Police, Amritsar, but as it has remained unattended, they have approached this Court.

3. Notice of motion.
4. On asking of the Court, Mr. A.P.S.Tung, DAG, Punjab accepts notice on behalf of the State-respondent. He has denied the allegations levelled against the official respondents and upon specific instructions received from ASI, Harpal Singh, submits that no complaint is pending against the petitioners nor are they required in any criminal case.
5. Having heard counsel for the parties, but without commenting upon the veracity of the allegations levelled by the petitioners, instant petition is disposed of with a direction to respondents No.2 and 3 that in case the presence of the petitioners is required in any criminal matter, then they should be served with a written notice in terms of provisions of the Cr.P.C.
6. It is made clear that this order shall not be construed to be a bar from taking any legal action against the petitioners in case they are found to be involved in any offence.

06.12.2023

(SUVIR SEHGAL)

Kamal

JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No