

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

116

CWP-9134-2024

Date of decision: 24.04.2024

RAM AVTAR TYAGI AND ANOTHER

.....Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. B.S. Chaudhary, Advocate
for the petitioner

(Through video conferencing).

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present writ petition is for seeking issuance of directions to the respondents No.1 to 5 for restraining the police officials for not harassing or torturing the petitioners without any cogent reasons.

2. Learned counsel appearing on behalf of the petitioners contends that the petitioner is 62 years old while petitioner No.2 is the daughter in law of petitioner No.1 being wife of Amit Tyagi, son of petitioner, who is lodged in Jail. He submits that Amit Tyagi had been falsely implicated in FIR No. 34 of 2024 registered under Section 420/120-B of the IPC at Police Station Jhunir, District Mansa and was arrested in Delhi from the house of petitioners at Burari. He submits that on 14.04.2024, one Head Constable with Police Station City Kotakpura, District Faridkot, who was accompanied by the Beat Officer

of local jurisdiction, Police Station Burari, Delhi handed over a notice under Section 160 Cr.P.C. and directed the petitioner to appear in the Police Station, City Kotakpura, District Faridkot for interrogation and questioning purposes.

3. Counsel for the petitioners contends that in this manner, the petitioners are being harassed. He has thus approached this Court.

4. I fail to find as to how the initiation of proceedings in complaints received by the Police and on following a due process of law and serving advance notice under Section 160 Cr.P.C. can be termed as harassment. The relationship of the petitioners with Amit Tyagi is not in dispute and the due process of law is being followed.

5. Such a petition espousing grievance against due process of law being followed by State cannot be entertained as an act of harassment. Process of criminal investigation may necessitate examination of many suspects and such an exercise cannot be termed as an act of harassment.

6. The present writ petition is accordingly dismissed at this stage.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 24, 2024

Vishal sharma

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