



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-7092-2024 (O&M)
Date of Decision:-29.7.2024

Kanwaljit Singh Sadana ... Petitioner
Versus
State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. G.B.S. Dhillon, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.
Mr. Rahul Bhargava, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. Having heard the learned counsel for the petitioner and while refraining from making any expression as regards merits of the case or as regards veracity of averments made in the petition, the instant petition is disposed off with a direction to respondent No.3 - Commissioner of Police, Ludhiana, District Ludhiana to ensure that in case the petitioner is required to be associated with any inquiry or any information is to be elicited from him in the capacity of a witness, then a prior written notice in terms of provisions of Section 179 of Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS) is duly issued to the petitioner. In case the petitioner is arrayed as an accused, then provisions of Section 35 of BNSS be complied with, as far as the same may be applicable.
2. As far as the prayer of the petitioner for lodging of FIR against respondents No.4 to 7 for allegedly illegally detaining him at CIA Staff, Ludhiana is



concerned, the petitioner would be liberty to approach the Illaqa Magistrate concerned by way of filing an application under Section 175(3) of BNSS.

3. A copy of this order be conveyed to respondent No.3-Commissioner of Police, Ludhiana, District Ludhiana for necessary compliance.

29.7.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No