



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

CRM-M-42082-2024 (O&M)
Date of Decision:-29.8.2024

Sudha Thapar ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pranav Handa, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

Mr. Preetinder Singh Ahluwalia, Advocate with
Ms. Bhavi Kapur, Advocate for respondent No.5.

GURVINDER SINGH GILL, J.(Oral)

1. Having heard 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 – The Senior Superintendent of Police, Moga to ensure that in case the petitioner is required to be associated with any inquiry or any information is to be elicited from her in the capacity of a witness, then provisions of Section 179 of Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS) shall be duly complied with. In case, the petitioner is to be summoned in the capacity of an accused in connection with any FIR, then provisions of Section 35 of BNSS, in case applicable, shall be duly adhered to.



2. It is, however, clarified that the aforesaid directions shall not be construed to be any kind of protection in case it is found that the petitioner, being an offender, is required to be arrested in accordance with law. It is further made clear that while taking any action it shall be duly borne in mind that the petitioner is an old lady aged about 75 years.
3. A copy of this order be conveyed to respondent No.3 – The Senior Superintendent of Police, Moga for necessary compliance.

29.8.2024
pankaj

(Gurvinder Singh Gill)
Judge

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