



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

CRM-M-42362-2024 (O&M)
Date of Decision:-30.8.2024

Falak Singh and another ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldip Singh, Advocate,
Mr. Harsimran Singh Sidhu, Advocate for the petitioners.

Mr. Siddharth Atttri, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. Having heard learned counsel for the petitioners 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.2 – Senior Superintendent of Police, Fazilka to ensure that in case the petitioners are required to be associated with any inquiry or any information is to be elicited from them 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 petitioners are to be summoned in the capacity of accused in connection with any case, 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 petitioners, being offenders, are required to be arrested in accordance with law.
3. A copy of this order be conveyed to respondent No.2 – Senior Superintendent of Police, Fazilka for necessary compliance.

30.8.2024
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No