



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

CRM-M-6509-2025
Date of decision: 04.02.2025

Kirpal Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Rajesh Bhatheja, Advocate for the petitioners.

Mr. J.S. Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 528 of BNSS 2023 seeking issuance of directions to respondents No.3 and 4 not to unnecessarily harass the petitioners by calling them to the police station/their office.

2. The counsel for the petitioners inter alia submits that certain land detailed in Annexures P-1 and P-2 is mortgaged with possession by respondents No.5 and 6 in favour of the present petitioners. Both the said documents are registered documents dated 23.08.2022 and 26.10.2021. It is further submitted that however, respondents No.5 and 6 failed to handover the possession of the mortgaged land to the petitioners. On this, the petitioner No.2 filed suit for possession of the aforesaid land against respondents No.5 and 6. The copy of the plaint is Annexure P-3. It is further submitted that respondents No.5 and 6 in order to put pressure on the petitioners to withdraw the aforesaid suit, have given one false complaint against the petitioners with the police. The same is pending since 28.11.2024. It is further submitted that the petitioners are being unnecessary harassed by respondents No.3 and 4 who are unnecessarily time and again calling the petitioners to their office/police station by making them



telephone calls. It is further submitted that no notice in writing was ever given to the petitioners for their appearance before the concerned police officials and the petitioners are not supplied the copy of the criminal complaint lodged by respondents No.5 and 6 against them with the police. It is further submitted that being aggrieved, the petitioners have filed the present petition.

3. On the other hand, the State counsel apprised the Court that police complaint No.10987 dated 28.11.2024 is lodged by the private respondents against the present petitioners and the petitioners are not coming forward to join the inquiry proceedings being conducted by the police for the disposal of aforesaid police complaint. It is further submitted that as the petitioners have failed to join the inquiry proceedings, the question of their harassment by calling them to the concerned office/police station by respondents No.3 and 4 does not arise at all.

4. Respondent No.3 is police officer of the rank of Deputy Superintendent of Police while respondent No.4 is SHO of Police Station Sadar Patiala.

5. The present petition is hereby disposed of, without expressing any opinion on the merits of the case, with direction to respondents No.3 and 4 not to unnecessarily harass the petitioners by calling them time and again to the concerned office/police station concerned. However, the concerned police officials are at liberty to proceed ahead in police complaint No.10987 dated 28.11.2024 in accordance with law only and in case proper notice is issued to the petitioners by the competent authority then they should respond to the same and appear before the concerned authority on the given time and date. This Court hope and believe that action if any, in the aforesaid criminal complaint will be taken only as per the settled procedure of law.

04.02.2025

Yogesh

**(KARAMJIT SINGH)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**