

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

**COCP-2603-2022 (O&M)
Date of decision: 17.01.2023**

Shivani Brar

...Petitioner

Versus

Jashandeep Singh Randhawa, IPS and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Anmol Verma, Advocate
for the petitioner.

Mr. P. K. Longia, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner, who is the complainant in FIR No. 143 dated 22.08.2021, registered under Sections 420, 354, 498-A, 406, 506, 34, 120-B of the IPC at Police Station Sector 9, Ambal City, Ambala, alleges violation of the directions/guidelines issued by the Hon'ble Supreme Court in the case of *Arnesh Kumar vs. State of Bihar & another, 2014 (8) SCC 73*.

Admittedly, the petitioner/complainant has already filed a petition under Section 482 Cr.P.C. against the investigation being carried out by the Investigating Officer or higher police officials, however, it is alleged that there is a violation of the directions/guidelines issued by the Hon'ble Supreme Court in *Arnesh Kumar's* case (supra).

On the face of it, the directions issued in *Arnesh Kumar's* case (supra) are with regard to some protection given to an accused person i.e. to issue a notice under Section 41 Cr.P.C. as and when a person is sought to be arrested for an offence providing sentence less than seven years.

The entire argument raised by learned counsel for the petitioner

is that the respondents-authorities are not following the proper procedure as the statement of the accused has not been recorded immediately after registration of the FIR and it is recorded after a period of more than one month and also that Section 356 IPC, which was initially added, stands deleted during investigation.

Be whatsoever, since the petitioner has already filed a petition under Section 482 Cr.P.C. for the redressal of her grievances, no case of contempt or willful disobedience is made out.

The present petition is dismissed accordingly.

Rule stands discharged.

17.01.2023

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No