

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-18637 of 2014 (O&M)
Date of Decision: February 16, 2015

Reeta Sharma

...Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Viney Puri, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. for issuing directions to respondents to get investigated the FIR No.64 dated 30.04.2014 under Sections 341, 323, 354 and 34 IPC registered at Police Station Division No.3, Jalandhar, from some senior officer not below the rank of Superintendent of Police.

I have heard learned counsel for the petitioner and have gone through the record.

At the time of arguments, learned counsel for the petitioner has failed to point out as to what are the extra ordinary circumstances that this case under Sections 341, 323, 354 and 34 IPC should be got investigated from a police officer of the rank of Superintendent of Police. The FIR is not recorded under serious offences and there is no need to get the investigation of such type of case conducted from

the police officer of the rank of Superintendent of Police. If the petitioner has any grievance that investigation is not being fairly and properly conducted, then she has the alternative remedy by way of approaching the Magistrate, who has ample powers to supervise the investigation and even to monitor the investigation under Section 156 (3) Cr.P.C. as has been held by the Hon'ble Supreme Court in **Sakiri Vasu v. State of U.P. and others, 2008 (1) R.C.R. (Cr.) 392.**

The law laid down in above judgment has also been relied upon by the Hon'ble Supreme Court in **T.C. Thangaraj v. V. Engammal and others, 2011 (3) R.C.R. (Cr.) 751.**

As the petitioner has alternative remedies as stated in the above-said case, especially to approach the Judicial Magistrate, therefore, this petition cannot be entertained and the same is dismissed. However, it is observed that petitioner is at liberty to approach the Magistrate and can avail alternative remedy.

February 16, 2015
Vgulati

(INDERJIT SINGH)
JUDGE