

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-31876 of 2015

Date of Decision: September 18, 2015

Kulwinder Singh

.....Petitioner

Vs.

State of Punjab and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr.K.S. Hissowal, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Grievance of the petitioner as reflected from his petition under Section 482 Cr.P.C. is that he has not been given his remunerations for the work done by contractor Nirvair Singh.

Counsel for the petitioner submits that a direction be issued to the police authorities to take action for the assault by Nirvair Singh. Counsel for the petitioner has drawn my attention to the averments in complaint annexure P-1 submitted to the SSP, Jagraon and SHO, PS, Sadar Jagraon, wherein it is mentioned that Nirvair Singh had given severe beatings to the petitioner.

The prayer in the complaint dated July 3, 2015 appears to be that police should help the petitioner to get his salary as the Contractor had flatly refused to make payment of salary alongwith arrears which is up to the extent of Rs.1.10 lacs.

In the exercise of jurisdiction under Section 482 Cr.P.C. such a direction does not appear to be permissible under law. Petitioner may avail the legal remedy available to him in accordance with law for recovery of the amount due to him. So far as the allegations of assault are concerned, the simple assault does not warrant any State action, being non-cognizable.

This petition is disposed of as not maintainable with liberty to the petitioner to approach the competent authority in case there is any imminent threat to his life and liberty or commission of any cognizable offence.

September 18, 2015
sanjay

(M.M.S.BEDI)
JUDGE