

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

CRM-M-12361 of 2016.

Decided on:-11.04.2016.

Harpal Singh and another

.....Petitioners.

Versus

State of Punjab and others

.....Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Rajesh Bhateja, Advocate
for the petitioner.

HARI PAL VERMA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of a direction to respondents No.2 to 6 to decide the representation (Annexure P-3) and to take legal action against the officials and other private persons for executing the sale deeds of thousands of acres of land situated in as many as 6 villages, namely, Khanpur, Bunga, Sekha, Tangrala, Haryau Kalan and Badungar in connivance with each other beyond the ceiling limit/surplus area belongs to these villages.

Prayer has also been made for issuance of a direction to register FIR against the accused persons.

Though prayer has been made to issue directions only to respondents No.2 to 6 to decide the representation (Annexure P-3), however, the same has been addressed to as many as 10 authorities functioning at Chandigarh, Patiala and Sangrur. Learned counsel for the petitioners has also not been able to assist the Court that as to which authority, the necessary directions are required to be issued.

Moreover, Hon'ble Supreme Court in ***Sakiri Vasu Versus State of U.P. and others (2008) 2 SCC 409*** has held as under:

“We have elaborated on the above matter because we often find that when someone has a grievance that his FIR has not been registered at the police station and/or a proper investigation is not being done by the police, he rushes to the High Court to file a writ petition or a petition under Section 482 Cr.P.C. We are of the opinion that the High Court should not encourage this practice and should ordinarily refuse to interfere in such matters, and relegate the petitioner to his alternating remedy, firstly under Section 154(3) and Section 36 Cr.P.C. before the concerned police officers, and if that is of no avail, by approaching the concerned Magistrate under Section 156(3).

If a person has a grievance that his FIR has not been registered by the police station his first remedy is to approach the Superintendent of Police under Section 154(3) Cr.P.C. or other police officer referred to in Section 36 Cr.P.C. If despite approaching the Superintendent of Police or the officer referred to in Section 36 his grievance still persists, then he can

approach a Magistrate under Section 156(3) Cr.P.C. instead of rushing to the High Court by way of a writ petition or a petition under Section 482 Cr.P.C. Moreover he has a further remedy of filing a criminal complaint under Section 200 Cr.P.C. Why then should writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?”

In view of the above as well as in the light of aforesaid observations made by Hon'ble Supreme Court in ***Sakiri Vasu's case (supra)***, this Court does not find any merit in the present petition and the same is, accordingly, dismissed.

April 11, 2016
Yag Dutt

(HARI PAL VERMA)
JUDGE