

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

Cr. Misc. M 25208 of 2016
Date of decision: 26.7.2016

Kamal

Petitioner

vs.

State of Haryana and ors

Respondent

Present: Mr. DS Matya, Advocate.

M.M.S.BEDI,J.

The petitioner, through the instant petition u/s 482 Cr.P.C., seeks a direction to respondent No.1 to take appropriate legal action and register an FIR against his wife- respondent No.2 and her family members, who have been impleaded as respondents 3 to 5.

On asking of the court, counsel for the petitioner informs that the petitioner is an accused in a number of FIRs, which have been registered at the instance of respondent No.2. The grievance of the petitioner is that he has submitted an application to the Commissioner of Police, Gurgaon complaining regarding assault by the private respondents, alleging criminal intimidation and he having been abused by them.

With the assistance of counsel for the petitioner, I have gone through the application (Annexure P-5). A perusal of the same shows that the allegations are in the nature of defence evidence, which is to be produced by the petitioner. The allegations appear to be vague. Prima facie, I do not find that any cognizable offence prima facie is made out from the allegations, warranting issuance of any direction. Besides this, it appears to be a matrimonial dispute between the petitioner and his wife

and in-laws, which is sought to be interfered with by seeking direction by filing the present petition u/s 482 Cr.P.C.

The petitioner has got an alternative legal remedy against the private respondents. So far as the prayer of the petitioner to issue a direction for taking action on Annexure P-5 is concerned, I am of the opinion that the circumstances do not warrant exercise of jurisdiction u/s 482 Cr.P.C. for issuance of any direction.

The petition is disposed of as not maintainable without prejudice to the right of the petitioner to avail an appropriate legal remedy against the private respondents, in accordance with law.

July 26 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No