

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-26864 of 2016

Date of Decision: August 5, 2016

Man Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

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

-. -

Present:- Mr.B.S. Tewatia, Advocate
for the petitioner.

-. -

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

This is a petition under Section 482 Cr.P.C. for an appropriate direction for registration of case against unknown persons and to trace the vehicle of the petitioner which was allegedly taken away by four unknown persons two and half months prior to December 31, 2013, as is apparent from the complaint submitted to SP, Palwal, annexure P-2. Petitioner has also filed a complaint under Section 156 (3) Cr.P.C. in which on February 6, 2015, a report under Section 202 Cr.P.C. had been called for by the Magistrate from SHO, Police Station, Bahin. When no report was submitted by concerned SHO, petitioner had withdrawn the complaint.

After hearing counsel for the petitioner it appears that the petitioner had taken a loan from Finance Company and failed to pay the

EMIs regarding which some award has also been passed. The said conclusion can be derived from the vague averments made by the petitioner in para 6 of the petition.

Counsel for the petitioner is not aware of the award of the Arbitrator which has been passed against the petitioner and is also not aware, if any legal remedy has been availed by the petitioner to challenge the award under the provisions of the Arbitration and Conciliation Act. No fishing enquiry can be permitted in the guise of provisions of Section 482 Cr.P.C.

Counsel for the petitioner seeks permission to withdraw this petition at this stage with liberty to avail other legal remedies available to the petitioner and to file fresh petition after gathering the true facts.

Dismissed as withdrawn at this stage.

August 5, 2016
sanjay

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.