

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27767 of 2016
DECIDED ON: August 12, 2016

MAHABIR PARSHAD NIMAIRYAPETITIONER..

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Kotla, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Section 482 of the Code of Criminal Procedure, the petitioner has sought direction to respondents No. 1 to 4 to take legal action on the complaint dated 19.07.2016 (Annexure P-6).

2. The contention of learned counsel for the petitioner is that earlier CRM-M-36447-2015 captioned as ***“Ram Murti and another vs. State of Haryana and others”*** was filed by the petitioner and vide order dated 21.10.2015, this Court directed the Superintendent of Police, District Hisar to look into the matter, consider the grievance of the petitioners raised vide representation dated 07.11.2014 and to decide the same by passing an appropriate order thereof strictly in accordance with law but in any case within a period of six weeks from the date of receipt of a certified copy of the said order.

3. In compliance of aforesaid order, the matter was inquired into by ASI-17, Hisar, Police Post Azadnagar, who submitted his report dated

18.02.2016 vide which, it has been observed that respondent is liable to pay Rs.9,20,000/- to the petitioner as a balance amount but the respondent(s) has not paid the amount so far, which has necessitated the filing of the instant petition.

4. This Court has considered the aforesaid submissions made by learned counsel for the petitioner but find that the dispute if any in between the parties is of pecuniary nature and if some amount is due and outstanding qua the respondent(s), the remedy available to the petitioner is civil in nature and he can approach the civil court for the recovery thereof. The police has got no jurisdiction to get the amount recovered. Since, the dispute in between the parties to the instant petition is purely of civil nature, the instant petition is dismissed.

5. However, the petitioner shall be at liberty to avail other remedies available to him under the law.

August 12, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: (√)
Yes/No

Whether reportable: **Yes/No**