

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

(118)

CRM-M-27816-2016

Decided on: August 12, 2016.

Rajesh Kumar @ Raj Kumar Virpal

.... Petitioner

Versus

State of U.T. Chandigarh and another

..... Respondents

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

Present: Mr. Samarth Sagar, Advocate, for the petitioner.

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

The petitioner claims that he was appointed as a Government cook in the official residence of MLA from Mukerian constituency on 24.03.2008 and his salary was being deposited in an account opened in State Bank of India, Haryana Civil Secretariat. He has claimed that his salary has been misappropriated during the period 2008 to 2012.

The petitioner has approached this Court by filing a petition under Section 482 Cr.P.C for a direction that his complaint dated 13.05.2016 submitted to the Senior Superintendent of Police, U.T., Chandigarh, is not being looked into though cognizable offence is made out from the allegations.

I have heard learned counsel for the petitioner and considered the facts and circumstances of the case.

Learned counsel for the petitioner has submitted that the petitioner is no more in service. He has not explained the reason for not availing any legal remedy during the period of last 4-5 years, in case, he

had any grouse against the persons who had done wrong to him. Even otherwise, the petitioner does not seem to have filed any complaint under Section 154 (4) Cr.P.C to any police officer.

It will not be appropriate for this Court to issue any direction at this stage for registration of case.

In view of above circumstances, this petition is disposed of as pre-mature being not maintainable. However, it will be appreciated in case the Senior Superintendent of Police, U.T., Chandigarh gets the grievance of the petitioner looked into as mentioned in Annexure P3 within a period of three months after the receipt of copy of this order and proceed in accordance with law in case the allegations are authenticated and warrant any action.

Nothing said in this order will be deemed to be an expression of opinion on merits of the representation Annexure P-3.

(M.M.S. BEDI)
JUDGE

August 12, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No