

CRM-M-35902 of 2016

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

CRM-M-35902 of 2016.

Date of Decision: October 6, 2016.

Gareeb Dass

.. Petitioner(s)

VERSUS

State of Punjab and others.

.. Respondent(s)

*** * ***

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

*** * ***

**PRESENT Mr.Aakash Juneja, Advocate,
for the petitioner.**

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

The petitioner is aggrieved by the conduct of one Munish Arora with whom he had entered into a joint business of Commission Agency. The relationship was initially smooth but after 14.9.2014, said Munish Arora, has not made payments to the farmers whereas the petitioner has distributed Rs.11 lacs to the farmers from his own pocket.

Through the instant petition under Section 482 Cr.P.C., the petitioner seeks a direction for registration of case against his associate. He has also submitted a representation, Annexure P1, dated 11.7.2016, to the Senior Superintendent of Police, Pathankot.

After going through the complaint Annexure P1 dated 11.7.2016, prima facie, I am not satisfied if the associate of the petitioner could be said to have committed any cognizable offence by

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cheating the petitioner or by misappropriating the funds from the account of Commission Agency.

No ground is made out for issuing any direction for registration of case. However, any observations made by this Court will not prejudice the right of the petitioner to avail any other legal remedy available to him in accordance with law.

Counsel for the petitioner, at this stage, submits that there is threat to the life and liberty of the petitioner which requires to be protected.

I have considered the said contention and I am of the opinion that in case the petitioner has got any apprehension of breach of peace or threat to his life, it will be open to him to file a detailed representation indicating the specific instances on the basis of which he has got an apprehension of threat to his life and liberty. In case any such application is not considered, it will be open to the petitioner to approach this Court.

Disposed of with above observations.

(M.M.S. BEDI)
JUDGE

October 6, 2016.
rka

Whether speaking / reasoned
Whether Reportable:

Yes / No
Yes / No