

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-45573-2016 (O&M).
Decided on: December 20, 2016.

Parkash Singh

.. Petitioner(s)

VERSUS

U.T. Chandigarh and others

.. Respondent(s)

* * *

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

* * *

PRESENT Mr.Rajiv Kataria, Advocate, for the petitioner.
M.M.S. BEDI, J. (ORAL)

It is submitted that FIR No.667 dated 31.12.2014, under Section 379 IPC, was registered at the instance of petitioner at Police Station, Sector 34, Chandigarh, alleging that his car parked outside his house had been taken away by some unknown thief.

Through the instant petition, the petitioner seeks a direction to the official respondents to file report under Section 173 (2) Cr.P.C.

I have considered the contention of the learned counsel for the petitioner and I am of the opinion that in the light of judgment in Abhinandan Jha and others Vs. Dinesh Mishra, 1968 AIR (SC) 117, such a direction to present challan cannot be issued.

At this stage, counsel for the petitioner has made an oral prayer that in the alternative notice be issued to the U.T. Chandigarh, for informing the status of the FIR which has been registered at the instance of the petitioner.

I have carefully considered the alternative request. No doubt, in the exercise of powers under Section 482 Cr.P.C., any direction in the interest of administration of justice or to prevent abuse of process of law may be issued but since the petitioner has got an alternative remedy in a separate statute to determine the status of his complaint, at this stage, the petitioner is relegated to avail the said remedy under the Right to Information Act.

Disposed of, at this stage, with above observations.

(M.M.S. BEDI)
JUDGE

December 20, 2016.

rka

Whether speaking / reasoned

Yes / No

Whether reportable:

Yes / No