

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

CRM No.M-5655 of 2016

Date of Decision: February 18, 2016

Daljit Singh

.... Petitioner

vs.

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. M.S. Rakhra, Sr. Advocate with
Mr. J.S. Virk, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Prayer in this petition is for directing respondent Nos.2 and 3 to register a criminal case against respondent no.4.

In view of law laid down by Hon'ble the Apex Court in ***“Sakiri Vasu vs State of U.P. and others, 2008(1) RCR (Criminal) 392***, powers under Section 482 Cr.P.C. are not to be ordinarily exercised. There is a specific provision in the Cr.P.C. to deal with such situation. The Hon'ble Apex Court has observed as under:-

“26. If a person has a grievance that his FIR has not been registered by the police station his first remedy is to approach the Superintendent of Police under Section 154(3) Cr.P.C. or other police officer referred to in Section 36 Cr.P.C. If despite approaching the Superintendent of Police or the officer referred to in Section 36 his grievance still persists, then he can approach a Magistrate under Section 156(3) Cr.P.C. instead of rushing to the High Court by way of a writ petition or a petition

under Section 482 Cr.P.C. Moreover he has a further remedy of filing a criminal complaint under Section 200 Cr.P.C. Why then should writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?”

In view of the matter, the petitioner is relegated to avail remedy before the concerned Illaqa Magistrate.

The petition stands disposed of.

February 18, 2016
sarita

(KULDIP SINGH)
JUDGE