

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

CWP No.14386 of 2016

Date of Decision:04.08.2016

Manojj Kr. Vishwakarma **.....Petitioner**

Vs.

State of Haryana and others **.....Respondents**

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Manojj Kr. Vishwakarma, petitioner in person.

RAKESH KUMAR JAIN, J.(Oral)

This petition is filed to challenge the order dated 18.5.2015 passed by the Chief Judicial Magistrate, Narnaul dismissing the complaint made by the petitioner as not maintainable. The said order was challenged by the petitioner by way of a revision before the Sessions Judge, Narnaul. The said revision petition was also dismissed vide order dated 17.9.2015.

When the present writ petition was filed, objection was raised by the Registry about its maintainability against the orders passed by the Criminal Courts. The precise objection is as under:-

“As per writ petition headnote Annexure P.3 & P.5 writ petition is not maintainable. Be filed appropriate side/ criminal side.”

It was also objected that in the memo of parties, respondents No.3 to 6 are arrayed as unknown persons which was not permissible. The petitioner refixed the petition by endorsing that “the objections are not maintainable in view of Articles 226 and 227 of the Constitution of India.

Kindly place it before Hon'ble Bench.” Hence, the present petition has been

allowed to be filed.

Petitioner has submitted that this Court while exercising jurisdiction under Articles 226 and 227 of the Constitution of India has wide powers to interfere in the orders passed by the Criminal Courts. I do not agree with the submissions made by the petitioner. The remedy lies with the petitioner only by filing a petition under Section 482 Cr.P.C and not by way of writ petition. Hence, the present petition is disposed of as not maintainable. The petitioner may, if so advised, file petition under Section 482 Cr.P.C in accordance with law, for the redressal of his grievances.

August 04, 2016
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(RAKESH KUMAR JAIN)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No