

In the High Court of Punjab and Haryana at Chandigarh.

**CWP- 25324 of 2016
Decided on 07.12.2016**

Arvind Singla

--Petitioner

Vs.

State of Punjab and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. Rajiv Atma Ram, Sr. Advocate, with
Mr.R.S.Kalra, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

In this petition, the petitioner has challenged the order dated 03.11.2016 (Annexure P-3) passed under Section 33 (c) of the Punjab Excise Act, 1914 (for short, 'the Act').

After hearing learned counsel for the petitioner, I am of the considered opinion that the said order is revisable in terms of Section 15 of the Act before the Excise Commissioner. Thus, the present petition is not maintainable once the statutory remedy is provided to the petitioner. However, in case, the petitioner intends to challenge the said order by way of revision before the competent authority within two days, then the competent authority is directed to decide the same within a period of seven days including the application for stay, if any, filed by the petitioner.

Insofar as the second prayer of the petitioner for quashing the

FIR dated 12.10.2016 (Annexure P-4) is concerned, he has the remedy to invoke the provisions of Section 482 of Cr.P.C.

With these observations, this petition is disposed of

07.12.2016
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned:

Yes/No.

Whether Reportable:

Yes/No