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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-26155 of 2017 (O/M)

Date of decision : 17.8.2017

Karan Sood (NRI)

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Puneet Bali, Senior Advocate, with,
Mr. Paramveer Singh, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

The petitioner is aggrieved of the order dated 9.6.2017 (Annexure-P-19), passed by the learned Judicial Magistrate 1st Class, Ludhiana, vide which his application under Section 156 (3) Cr.P.C. for issuing direction to SHO, P.S. Sadar, for registration of a case under Sections 420, 467, 468, 469, 471, 120-B IPC, was ordered to be treated as a complaint by declining to issue such direction to SHO, P.S. Sadar, to register the case and the case was posted for recording preliminary evidence.

The learned senior counsel for the petitioner restricts his prayer that this Court may direct the learned Magistrate to call for the report under Section 202 Cr.P.C.

I am of the view that it is the prerogative of the learned Magistrate as to what course of action is to be taken. After recording the statement of complainant, the petitioner is always at liberty to make a prayer to the learned Magistrate for sending the complaint to the police for inquiry under Section 202 Cr.P.C.

Petition is disposed of with liberty to move for appropriate prayer before the learned Magistrate, who can consider the same and decide in accordance with law.

(KULDIP SINGH)
JUDGE

17.8.2017

sjks

Whether speaking / reasoned : Yes
Whether Reportable : No