

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

**CRM No.M-32907 of 2017(O&M)
Date of Decision: September 06, 2017**

Sumit Kalia

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Chand Deep Jindal, Advocate
for the petitioner.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 482 Cr.P.C. against respondent State of Punjab for protection of constitutional rights, which are being violated due to non-action of the police authorities, with further direction to Police Authorities not to harass, humiliate and to stop abusing the process of law and misuse of power.

I have heard learned counsel for the petitioner and have gone through the record.

From the record, I find that the petitioner has moved a representation dated 13.08.2017 to the Commissioner of Police, Jalandhar, copy of which is Annexure P-6. The representation is regarding lodging of complaint against Mr.Lalit Kalia and Ritu Kalia, for using filthy language and threatening to take illegal possession and lock the factory at the given

address and also regarding beating one of the person namely Gurbachan

Singh working in the factory.

The perusal of the record shows that offence regarding beating is a non-cognizable offence. Furthermore, regarding the threat of taking illegal possession, the petitioner can avail the civil remedy by filing civil suit for injunction etc. Otherwise also, as held by the Hon'ble Supreme Court in **Sakiri Vasu v. State of U.P. and others, 2008 (1) R.C.R. (Cr.) 392**, the petitioner can approach Judicial Magistrate for redressal of his grievances.

As the petitioner has alternative remedies as stated in the ***Sakiri Vasu's case (supra)***, especially to approach the Judicial Magistrate, therefore, this petition cannot be entertained and the same is dismissed with liberty to the petitioner to avail alternative remedies.

September 06, 2017
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No