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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33976-2017
Date of Decision :04.10.2017

Vijay Kumar

.....Petitioner

Versus

State of Haryana and Others

.....Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. P.K.Ganga, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The petitioner Vijay Kumar has moved the jurisdiction of this Court under Section 482 Cr.P.C seeking direction to respondents No.1 to 3 for taking strict legal action against respondents No.4 to 7 who are official/private persons of the area where the petitioner resides where a temple of Guru Ravidas and Dharamshala are located and maintained by a Committee and has a grouse that they are misusing the funds and are trying to interfere in the daily prayers by the petitioner and in the alternate has also sought respondent No.3, the Station House Officer of the local police station to take control over the same.

Upon hearing the counsel for the petitioner Mr. P.K.Ganga and on perusal of the records. Apparently much in abundance the perusal of the petition in itself reflects a pure personal grouse over total denial of the petitioner to run the prayers of the institution in question and his prayer is more by way of settling this grouse seeking restraining from interfering in the daily prayers by the petitioner thus none of the grouses illustrated in the

petition falls within the terminology of fundamental rights or their violation defined/enumerated in Part-III of the Constitution of India, neither there is any allegation or averment of discrimination on the ground of religion etc. or untouchability much less his infringement of freedom to manage the religious affairs or attending any religious instructions or religious worship.

Be so at it may be, then the petitioner has effective remedy by way of knocking at the Courts under either Article 226 of the Constitution of India or Article 32. Since the petitioner has neither approached this Court seeking this very remedy and in view of the settled principle of law that exhaustion of alternate remedy needs to be there though not by way of compulsion but needs to be put to, as to maintain judicial discipline. More so, the counsel could not satisfy any such requirements as to the necessity of this Court for invoking its inherent powers by virtue of Section 482 Cr.P.C. Finding no merits the petition stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

October 04, 2017

Sunil Devi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No