

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38013-2017
Date of Decision : 9.10.2017

Balwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN

Present: Mr.N.S. Swaitch, Advocate
for the petitioner.

H.S.MADAAN, J. (ORAL)

This is a petition filed by one Balwinder Singh, Sarpanch of village Daudpur, Tehsil Samrala, District Ludhiana praying that police authorities be directed to register a case against private respondents No.6 to 12 under the provisions of SC & ST Act and further to protect his life and liberty.

In view of the ratio of authority **Sakiri Vasu Versus State of U.P. and others, 2008(1) R.C.R.(Criminal) 392**, the proper remedy for the petitioner is to approach the Court of Magistrate and Magistrate exercising powers under Section 156(3) Cr.P.C. can issue necessary direction to the police in that regard. Therefore, the petitioner is relegated to that remedy as far as registration of a case against respondents No.6 to 12 is concerned. As regards the second part of prayer, Senior Superintendent of police, Khanna, Police District Khanna

(respondent No.3) is directed to look into the matter and to take necessary measures, if so warranted by facts and circumstances to protect life and liberty of the petitioner.

The petition is disposed of accordingly.

9.10.2017

Brij

(H.S. MADAAN)

JUDGE

Whether reasoned/speaking :

Yes/No

Whether reportable :

Yes/No