

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M No. 39364 of 2017 (O&M)

Date of decision : 24.10.2017

...

Kali Thapar

.....Petitioner

vs.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. R.S. Bajaj, Advocate for the petitioner.

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H. S. Madaan, J. (Oral)

This is a petition under Section 482 Cr.P.C. for issuance of a direction to the Commissioner of Police, Jalandhar, to register FIR against respondent No.6, on the basis of complaint dated 23.9.2017, submitted by the petitioner and thereafter to proceed ahead in the matter in accordance with law.

However, in view of ratio of the authority **Sakiri Vasu vs. State of U.P. and others 2008 (1) RCR (Criminal) 392**, the Magistrate has power under Section 156 (3) Cr.P.C. to order police to register FIR. Admittedly, the petitioner has not approached the Magistrate in that regard.

The present petition is disposed of relegating the petitioner

to the remedy of approaching the Court of Magistrate concerned under Section 156 (3) Cr.P.C.

(H.S. Madaan)
Judge

24.10.2017

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Whether speaking / reasoned

Yes/ No

Whether reportable

Yes/ No