

CRM-M-27833 of 2016

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

CRM-M-27833 of 2016
Date of Decision: 12.11.2018

Avtar Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- None for the petitioner.
Mr. Harpreet Multani, AAG, Punjab.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for setting aside order dated 20.07.2016 (Annexure P-2) of the learned Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar.

Learned State counsel submits that instant petition is not maintainable in view of the fact that in case the petitioner had any grievance against respondent No.4 and his associates, namely, Navtej Singh Chahal, Advocate practising at Baba Bakala Sahib and uncle of the said Advocate, namely, Surinder Singh, he ought to have filed separate complaint against them for punishing them under Sections 385, 388, 389, 370 and 511 IPC instead of challenging kalandra under Section 182 IPC filed by the police against respondent No.4 inasmuch as complaint filed by respondent No.4 against the petitioner on finding to be false, only recourse with the police was to file kalandra and not to register FIR under aforesaid Sections against

respondent No.4 and his associates without any complaint from the

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petitioner.

Having given anxious consideration to the submissions made by learned State counsel, instant petition is dismissed being not maintainable and for want of prosecution as well with liberty to the petitioner to adopt appropriate recourse for punishing respondent No.4 and his associates, if any.

November 12, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No