

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

CRM-M-54919 of 2018.

Decided on:- December 15, 2018.

Paramjit Singh.

.....Petitioner.

Versus

State of Punjab and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.**

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Present:- Mr. Shivam Malhotra, Advocate for  
Mr. Manuj Nagrath, Advocate  
for the petitioner.

**HARI PAL VERMA, J. (Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for issuance of directions to the official respondents No.1 to 3 to constitute special investigating team or to depute some senior official to investigate/inquire the matter and for registration of an FIR under Sections 420 and 406 IPC against respondents No.4 and 10.

Prayer has also been made for issuance of directions to respondents No.1 to 3 to take action on representation dated 20.09.2018 (Annexure P-1) made by the petitioner to respondent No.2 i.e. Commissioner of Police, Jalandhar. Further prayer has also been made for issuance of a direction to respondents No.1 to 3 to protect the life and liberty of the petitioners at the hands of respondents No.4 to 10.

Learned counsel for the petitioner states that the accused in connivance with each other and having common intention have cheated the petitioner and caused a wrongful loss to the petitioner. The petitioner has been approaching the respondents No.1 to 3 time and again, but no action whatsoever has been taken by the police so far.

I have heard learned counsel for the petitioner.

Hon'ble Supreme Court in ***Sakiri Vasu Versus State of U.P. and others (2008) 2 SCC 409*** has held as under:

*“We have elaborated on the above matter because we often find that when someone has a grievance that his FIR has not been registered at the police station and/or a proper investigation is not being done by the police, he rushes to the High Court to file a writ petition or a petition under Section 482 Cr.P.C. We are of the opinion that the High Court should not encourage this practice and should ordinarily refuse to interfere in such matters, and relegate the petitioner to his alternating remedy, firstly under Section 154(3) and Section 36 Cr.P.C. before the concerned police officers, and if that is of no avail, by approaching the concerned Magistrate under Section 156(3).*

*If a person has a grievance that his FIR has not been registered by the police station his first remedy is to approach the Superintendent of Police under Section 154(3) Cr.P.C. or other police officer referred to in Section 36 Cr.P.C. If despite approaching the Superintendent of Police or the officer referred to in Section 36 his grievance still persists, then he can approach a Magistrate under Section 156(3) Cr.P.C. instead of rushing to the High Court by way of a writ petition or a petition under Section 482 Cr.P.C. Moreover he has a further remedy of filing a criminal complaint under Section 200 Cr.P.C. Why then should*

*writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?”*

Similar view has also been taken by Hon’ble Madras High Court in ***Sugesan Transport Private Limited Versus The Assistant Commissioner of Police 2016(5) CTC 577*** and ***K. Raghupathy Versus The Commissioner of Police, Greater Chennai, Vepery, Chennai and another 2017 (3) MLJ (Criminal) 449***.

In the present case, prayer made by the petitioner is nothing but for issuance of a direction to the official respondents for registration of an F.I.R. against the accused persons. However, in view of the aforesaid observations made by Hon'ble Supreme Court in ***Sakiri Vasu's case (supra)***, ***Sujesan Transport Private Limited's case (supra)*** and ***K. Raghupathy's case (supra)***, it is apparent that no such direction can be issued by this Court under Section 482 Cr.P.C. as the efficacious remedy is already available to the petitioner for the relief claimed in this petition.

In view of the above, the present petition stands dismissed.

**December 15, 2018**  
Yag Dutt

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No