

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11174 of 2018(O&M)
Date of Order:09.07.2019

Munna Lal Gupta

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Harsh Aggarwal, Advocate, for the petitioner.

ANIL KSHETARPAL, J(Oral)

Grievance of the petitioner is to the effect that the learned Judicial Magistrate while passing the order rejecting the application under Section 156(3) has not passed any detailed order/judgment. A reading of the provision i.e. Section 156(3) of the Code of Criminal Procedure only provides that “any Magistrate empowered under Section 190 Cr.P.C may order such an investigation as above mentioned”. Section 156 of the Code of Criminal Procedure deals with the powers of the police officer to investigate cognizable offences.

A criminal complaint was filed under Sections 467/468/469/471/120-B IPC before the Judicial Magistrate in which application was filed under Section 156(3) of the Code of Criminal Procedure. The learned Court has recorded that after perusal of the contents of the complaint and hearing learned counsel for the complainant, no case for direction under Section 156(3) of the Code of Criminal Procedure is made out. The complaint was checked and registered and complainant was called upon to lead preliminary evidence.

Learned counsel for the petitioner was unable to substantiate his argument that while passing order under Section 156(3) of the Code of Criminal Procedure, the Judicial Magistrate is required to pass detailed order/judgment.

Keeping in view the aforesaid facts, this court does not find any ground to interfere.

Dismissed.

July 09, 2019
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(ANIL KSHETARPAL)
JUDGE

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