

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

**CRM-M No. 8656 of 2019
Date of Decision:-26.02.2019**

Pawan Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Pankaj Bhardwaj, Advocate
for the petitioner.

MANOJ BAJAJ J.(Oral)

Petitioner Pawan Kumar has filed the present petition under Section 482 Cr.P.C. for issuance of directions to respondents No.1 to 3 to register a case/FIR against respondents No.6 and 7 and other unknown accused persons under Sections 406, 420, 506 and 120-B IPC in pursuance to the complaint dated 10.1.2018 (Annexure P-3); 30.11.2018 (Annexure P-6).

As per grievance of the petitioner, respondents No.6 and 7 in connivance with each other in order to give one tractor and one rotavator for a sum of Rs.4,00,000/-, on false assurance, taken Rs.1,50,000/- cash on 12.12.2017 and thereafter on asking of accused/respondent No.6 Deepak, Rs.1,50,000/- were deposited in Axis Bank Account No.916010061179339,

Branch Khedi through bank account of friend of complainant, namely, Gaurav having Bank Account No.0197000402280993 of Punjab National Bank, branch Hansi. Thereafter, on 19.12.2017, again Rs.1,00,000/- cash was given to accused/respondent No.7 Mohinder. Thereafter, the accused persons neither delivered tractor and rotavator to the complainant nor returned the money received by them.

The petitioner has moved complaint (Annexure P-3) addressed to the SHO, Police Station Bass and thereafter complaint dated 30.11.2018 (Annexure P-6) addressed to the Police Commissioner, Police District Hansi and after conducting inquiry, the Deputy Commissioner of Police, Narnaund concluded that no cognizable offence is made out and filed the complaint of the complainant vide Annexure P-8.

I have heard learned counsel for the petitioner and perused the case file carefully.

Perusal of the file reveals that the petitioner has straight away filed the present petition for issuance of directions to the official respondents to register a FIR against respondents No.6 and 7 without availing the remedy available to him to approach the Magistrate first.

Considering the allegations and the nature of dispute, no ground is made out to invoke inherent powers under Section 482 Cr.P.C.

The petition is hereby dismissed.

February 26, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

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