

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32487-2018 (O&M)
Date of Decision:-03.04.2019.

Sahil Verma

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. A.S. Sethi, Advocate for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

Mr. Akashdeep Singh, Advocate for respondent Nos.6 and 7.

SHEKHER DHAWAN, J. (Oral)

Present petition is under Section 482 Cr.P.C. for issuance of direction to respondent Nos.2 and 3 to register an FIR for offences punishable under Sections 420/406 read with Section 120-B of the IPC.

Learned counsel for the petitioner fairly conceded that by now, petitioner has not approached the concerned Court of learned Area Judicial Magistrate and make request to exercise powers under Section 156 (3) Cr.P.C.

Similar matter was before the Hon'ble Apex Court in **Sakiri Vasu Vs. State of U.P. and Others 2008 (1) RCR (Criminal) 392**, wherein it was observed as under:-

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?”

In view of the above, no ground is made out in the present petition, while exercising the powers under Section 482 Cr.P.C. However, petitioner shall be at liberty to move an application before learned Area Judicial Magistrate for redressal of his grievance. As such, present petition stands disposed of.

In case petitioner approaches the Area Judicial Magistrate on this point, the delay may be considered sympathetically.

(SHEKHER DHAWAN)
JUDGE

April 03, 2019.
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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.