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

CRM-M-18562 of 2019

Date of decision: May 09, 2019

Anoop Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.S. Sidhu, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for direction to respondents No.1 to 4 for taking legal action against respondent No.5 on account of giving false and frivolous complaints against the petitioner.

It is contended by the learned counsel for the petitioner that as a matter of fact, respondent No.5 has made baseless complaints to the authorities, but after investigation of the same, no substance found therein. It is further contended that even a civil suit was also filed by private-respondent No.5 and his brother, but ultimately the same stood dismissed as withdrawn. It is also contended that the petitioner has made a representation to the authority concerned, and which is not being considered. In view of the above, the sole grievance of the petitioner is that there should be a direction to respondent No.5 not to make any false and frivolous complaint against him.

Heard learned counsel for the petitioner and perused the paper book.

Learned counsel for the petitioner is not able to show any

provision of law that a direction can be issued against a person to restrain him from instituting any complaint to the authorities concerned. No doubt, if the complaint made by a litigant to the authorities or Police is ultimately found to be false, then the aggrieved person has a remedy under law, but in anticipation the pre-emptive order cannot be passed by this Court while exercising powers under Section 482 Cr. P.C.

In view the above, the petition is dismissed being without any merits. However, it is clarified that in case, representation dated 01.04.2019 (Annexure P-3) of the petitioner is still pending with the authorities, then dismissal of the present petition may not be construed as an adverse circumstance while proceeding further on the basis thereof.

(MAHABIR SINGH SINDHU)
JUDGE

May 09, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **Yes**