

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

**CWP-18483-2019 (O&M)
Date of Decision:10.07.2019**

M/s HS Oberoi-VSPL-JV & another

... Petitioners

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.K. Handa, Advocate for the petitioners.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioners have filed the instant writ petition under Article 226 of the Constitution of India raising a three fold prayer;

- (i) quashing of FIR No.101, dated 25.06.2019, registered at Police Station BPTP, Faridabad, under Sections 420/467/468/471 and 120-B IPC is sought.
- (ii) Mandamus is sought directing the official respondents No.3 and 4 to register an FIR against respondents No.5 to 7 in pursuance to a complaint that has been lodged by the petitioners.
- (iii) Further directions are sought for respondents No.1 to 4 to take necessary steps to ensure that respondents No.5 to 7 do not create any hindrance insofar as the carrying out of the project in hand with the petitioners.

Even though in not so many words but learned counsel for the petitioners would submit that there is an additional prayer for the life and liberty of the petitioners as they apprehend a threat to the same at the hands of respondents No.5 to 7.

Learned counsel has been heard at length and the pleadings on record have been perused.

Insofar as the prayers culled out at Sr. Nos.(i) and (iii) are concerned, the petitioners have their alternate remedies in accordance with law. If the petitioners are so advised, it would be open for them to seek quashing of the FIR by filing a petition under Section 482 Cr.P.C. and on such grounds as may be permissible in accordance with law. Even with regard to registration of the FIR pursuant to a complaint having been lodged and the police authorities not acting upon such complaint, there would be a remedy available to the petitioners under the provisions of the Criminal Procedure Code.

Insofar as an injunction being sought against respondents No.5 to 7 for not to create any hindrance/obstruction to carry out the business interest of the petitioners, appropriate civil remedies are available.

Accordingly, this Court is not inclined to entertain the instant petition as regards prayers at Sr. Nos.(i) to (iii). Liberty, however, is granted to the petitioners to avail of their alternate remedies.

As regards the additional prayer made by counsel that there being a threat perception to the life and liberty of the petitioners, liberty is granted to them to approach respondent Nos.3 and 4 confined to such threat perception. In the eventuality of any application being preferred confined as

regards threat to life, respondents No.3 and 4 would be obligated to look into the matter and to thereafter take steps as they may deem fit in accordance with law.

Disposed of.

10.07.2019
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |