

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

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**CRM-M-31185 of 2019 (O&M)
Date of Decision: 23.07.2019**

Mohinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. S.P. Soi, Advocate for the petitioner.

ANIL KSHETARPAL, J (ORAL)

Petitioner has challenged the order passed by the learned Judicial Magistrate Ist Class refusing to issue direction to register the criminal case. The Court has granted liberty to file the criminal complaint.

This Court has heard learned counsel for the petitioner at length. No exception can be taken to the order passed by the learned trial Court refusing to issue such direction. However, learned counsel for the petitioner submits that Judicial Magistrate Ist Class has committed an error in directing the petitioner to file the complaint whereas in fact Annexure P-2, although, styled as application under Section 156(3) Cr.P.C., is a criminal complaint only.

Keeping in view the aforesaid fact, learned Judicial Magistrate Ist Class is requested to treat Annexure P-2 as a criminal complaint and proceed in accordance with law.

With the aforesaid modification, the petition is disposed of.

**(ANIL KSHETARPAL)
JUDGE**

23.07.2019
D.Bansal

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