

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

**CRM-M-34882 of 2020 (O&M)
Date of Decision: 30.10.2020**

Madan Lal

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Nakul Sharma, Advocate,
for the petitioner.

Mr. P. S. Walia, AAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

CRM NO. 26653 OF 2020

Allowed, as prayed for.

MAIN CASE

Petition herein is under Section 482 Cr.P.C., inter alia, for issuance of directions to conduct proper investigation in FIR NO. 92 dated 16.06.2020 under Sections 323/341 IPC registered at Police Station Mamdot, District Ferozepur, by some senior officer and also by adding Sections 379-B/341/323/34 IPC read with Sections 25 and 27 of Arms Act.

2. The petitioners ought to have first approached the trial Court under Section 156 (3) Cr.P.C for redressal of their grievance, if any, before directly approaching this Court. Section 156 (3) *ibid* empowers a Magistrate to ensure proper investigation. Ordinarily, in case of a grievance arising out of non-registration of an FIR, first remedy is to approach the Superintendent of Police under Section 154(3) Cr.P.C. or any other competent police officer

per Section 36 Cr.P.C. However, even if thereafter, grievance is unmitigated, one can take judicial recourse by approaching a Magistrate under Section 156(3) Cr.P.C. Still, thereafter, an aggrieved party has a further remedy of filing a criminal complaint under Section 200 Cr.P.C. Reference may be had to Apex Court judgment in *“Sakiri Vasu v. State of U.P and others” 2008 (2) SCC 409.*

3. In the premise, the instant petition is disposed of with liberty to petitioner to approach the appropriate Court/authority for redressal of his grievance, as aforesaid.

OCTOBER 30, 2020
adhikari

(ARUN MONGA)
JUDGE

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