

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

**CRM-M-34872 of 2020 (O & M)
DATE OF DECISION : 30.10.2020**

Charanjit Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

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

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

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

This is a petition under Section 482 Cr.P.C, inter alia, for issuance of directions to official respondents to inquire the matter on the representation dated 19.07.2020 (Annexure P-3) filed by the petitioner and take action against the respondent accordingly.

2. The contents of the petition along with Annexures thereof have been perused.

3. Having heard learned counsel for the petitioner, I am of the view that the petitioner 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.***

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

OCTOBER 30, 2020
shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No