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

CRM-M-12597-2021

Date of Decision: 27.08.2021

Ajay Sood and another

.. Petitioners

Vs.

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naresh Kaushik, Advocate for the petitioners.

...

Manoj Bajaj, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for directing the official respondents to take action upon the complaint dated 12.02.2021 (Annexure P-1).

Learned counsel has argued that the petitioners had booked the marriage place, namely, Riviera Resorts to solemnize the marriage of Nitin Gupta and Payal on 15.04.2020 and petitioner No.1-Ajay Sood had paid booking amount of Rs.1,00,000/- to the owners of the Riviera Resorts through cheque No.774384, against the total settled amount of Rs.8,50,000/-. According to him, before the date of marriage, the global Pandemic COVID-19 broke out and the marriage function was cancelled, therefore, the petitioners made a request for refund of their money to the respondent Nos.5 and 6, however, the same has not been returned by them. He submits that petitioner No.2-Rajesh Gupta has given a representation dated 12.02.2021 before the Commissioner of Police, Ludhiana for registration of FIR, but the needful has not been done. He prays that the necessary directions be issued for registration of FIR.

After hearing the learned counsel and considering the nature of dispute, this Court is of the opinion that the issue raised by the petitioner No.2 in his representation (Annexure P-1) is apparently of civil nature, as mere breach of contract alone is not enough to constitute an offence punishable under Indian Penal Code.

Resultantly, this Court does not find any merits in this petition and the same is dismissed.

27.08.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No