

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

CRM-M-21158 of 2021 (O&M)

Date of Decision: July 02, 2021

Harman Singh @ Harmanpreet Bhangu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. N.K. Manchanda, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J.

By filing this petition, petitioner seeks directions to respondent Nos.2 to 4 to conduct fair and proper investigation in case FIR No.31 dated 30.03.2021 under Sections 341,427,506,148,149 IPC registered at P.S Khamano, District Fatehgarh Sahib on the statement of respondent No.5.

The Hon'ble Supreme Court in *M. Subramaniam v. S. Janaki, (2020) 16 SCC 728* has held that if a person has a grievance that his FIR has not been registered by the police, or having been registered, proper investigation is not being done, then the remedy of the aggrieved person is not to go to the High Court but to approach the Magistrate concerned under Section 156(3) CrPC. If such an application under Section 156(3) CrPC is made and the Magistrate is, prima facie, satisfied, he can direct the FIR to be registered. He can also direct proper investigation to be done which includes recommending change of the

investigating officer, to ensure proper investigation.

In view of above, Ld. counsel for the petitioner does not press this petition and wishes to withdraw the same with liberty to approach the concerned Magistrate for availing the appropriate remedy.

Disposed of as having been withdrawn with the liberty aforesaid.

July 02, 2021

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No