

S.No.108

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

CRM-M-44100 of 2021

Date of Decision:25.10.2021

Naib Singh

.....Petitioner

Vs.

State of Punjab and othersRespondents

CORAM:- HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present:- Ms. Sunaina, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

(Through Video Conferencing)

SURESHWAR THAKUR, J.

Through the instant petition, the petitioner seeks directions to respondents No.1 to 5 to register an FIR against respondents No.6 to 8, for penal offences constituted under Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The afore directions are asked for, as the police authorities concerned, despite an application being preferred, are not registering an FIR against the accused concerned.

The instant petition for seeking directions to register an FIR against the accused persons, is not maintainable before this Court, as the special statutory mechanism contained in Section 156(3) Cr.P.C is available for being resorted by the petitioner, before the Court concerned.

In view of the above, this writ petition is permitted to be withdrawn. However, liberty as prayed for is reserved to the petitioner to move an appropriate application, under the relevant statutory provisions

before the learned Special Magistrate concerned, seeking a direction against the police authorities concerned to register an FIR against the accused persons, and, thereafter to investigate it in accordance with law.

A copy of this order be given dasti on payment of usual charges.

October 25, 2021
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(SURESHWAR THAKUR)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No