

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8579-2020 (O&M)
Date of Decision:-6.7.2022

Gurpreet Singh ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rajeshwar Singh, Advocate for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking setting aside of a legal opinion dated 29.8.2018 (Annexure P-17) furnished by District Attorney (Legal), Ludhiana, whereby a complaint filed by the petitioner against respondent No.4 has been 'filed' (meaning consigned) on the ground that respondent No.4 has not taken any advantage of the Schedule Caste Certificate, whereas infact such certificate was a forged certificate.

On the previous dates of hearing, the petitioner had been specifically asked to address arguments with regard to maintainability of the petition.

Today, when this Court specifically put it to the petitioner as to how this petition is maintainable so as to challenge the opinion of the District Attorney, learned counsel for the petitioner submitted that it is on the basis of

the said opinion that no FIR has been registered against respondent No.4, therefore, he has a right to challenge the said opinion.

This Court is unable to agree with the aforesaid contention inasmuch as the petitioner can have resort to other remedies as may be available to him for lodging FIR against respondent No.4. The provisions of Section 482 Cr.P.C. cannot be invoked for setting aside any opinion furnished by a District Attorney. The petition, as such, is dismissed on ground of maintainability.

Needless to mention, the petitioner would be at liberty to avail of any other alternate efficacious remedies as may be available to him for redressal of his grievances.

6.7.2022

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No