

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 12883 of 2022
Date of Decision: 30.3.2022**

Yadwinder Singh`

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Since, the representation carried in Annexures P-10, remains inactioned on the part of the police authorities concerned, thereupon, the petitioner is led to access this Court, for its making a direction, upon, the respondents concerned, hence for action being taken thereon.

2. However, even if there is any inaction on the part of the authorities concerned, to galvanize the police machinery, on Annexure P-10, yet the afore inaction, can be better remedied through the petitioner's accessing the learned Magistrate concerned, with an application under Section 156 (3) Cr.P.C. The reason being, that with the availability of the afore alternative remedy to the petitioner, thereupon the extant petition hence claiming the afore relief is mis-constituted, and, also is not maintainable at this stage before this Court.

3. Therefore, the petition is disposed of with liberty to the petitioner to access the learned Magistrate concerned, with a petition under

Section 156(3) Cr.P.C., and, upon its presentation before him, the latter shall, in accordance with law, make an expeditious decision thereon. The learned Magistrate concerned is also directed that in case, the preliminary evidence, adduced by the complainant supports the allegations, as levelled in the complainant, to make an expeditious cognizance, and, thereafter to also make an expeditious decision upon the complaint concerned.

(SURESHWAR THAKUR)
JUDGE

March 30, 2022
Gurpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No