

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

CRM-M-25418-2022

Date of Decision: 02.06.2022

Rinku Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jatinder Pal Singh, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Present petition has been filed for issuance of directions to respondents No.4 and 5 to register an FIR against respondents No.6 to 12 for causing serious/grievous injuries to the brother of the petitioner, in view of the law laid down by the Hon'ble Supreme Court in Lalita Kumari Vs. State of Uttar Pradesh, (2014) 1 SCC (Criminal) 524, and to protect the life and liberty of the petitioner and his family members at the hands of the private respondents.

Learned counsel for the petitioner contends that on 14.07.2021, the private respondents set the brother of the petitioner on fire, that his brother was initially admitted in the Civil Hospital, Sangrur, from where he was referred to Rajindra Hospital; that however, condition of his brother did not stabilize, he was further referred to PGI and had remained admitted there for 40 days, and that he was discharged from the hospital in August, 2021.

Learned counsel for the petitioner further submits that the private respondents had committed a cognizable offence and as per

Section 154 Cr.P.C., the registration of FIR is mandatory in the

cognizable offence, but no action has been taken by the police till date.

The petitioner has also moved representation (Annexure P-3) to the Senior Superintendent of Police, Sangrur, for redressal of his grievance, but the same has not yielded any result. In support of his arguments, learned counsel places reliance on the law laid down in Lalita Kumari's case (supra).

I have heard the learned counsel for the petitioner.

In the present case, the petitioner has sought registration of an FIR against the private respondents.

The Hon'ble Apex Court in Lalita Kumari's case (supra), has held that in such like cases, the complainant must avail the alternate remedy by approaching the Magistrate concerned.

In view of the law laid down by the Hon'ble Apex Court in Lalita Kumari's case (supra), the present petition is disposed of with liberty to the petitioner to approach the Magistrate concerned.

02.06.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

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