

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

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CRM-M-36882-2022 (O&M)

Date of Decision: 22.08.2022

JUGRAJ SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ORS

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashu, Advocate for
Mr. Ranjan Lakhanpal, Advocate for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

By way of the present petition, the petitioner seeks issuance of directions to the official respondents to register a criminal case against respondents No.5 and 6 and to provide protection to the petitioner.

Learned counsel for the petitioner submits that the petitioner is the owner of 5-½ acre of land situated in Village Baa, Tehsil and District Ferozepur; that in the year 2021, the said land was given on rent to respondents No.5 and 6, who are brothers of the petitioners; that the said respondents in connivance with the police officials are not paying the rent from the day one and that the concerned police officials are taking Rs.20,000/- per acre from respondents No.5 and 6. He further submits that, though the petitioner had moved an application dated 01.12.2020 (Annexure P-2) to the Station House Officer, Police Station Kulgarhi, District Ferozepur, for redressal of his grievances, yet no action has been taken upon the same till date.

Notice of motion to respondents No.1 to 4-State only.

On the asking of this Court, Mr. Subhash Godara, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State only.

I have heard the learned counsel for the parties.

It is the case of the petitioner that he is the owner of land measuring 5-½ acres and had rented out the same to respondents No.5 and 6. The allegation against the said respondents is that they are not paying the rent and have connived with the police officials. Further, the petitioner is aggrieved against the inaction on the part of the police authorities.

In view of the judgments of the Hon'ble Supreme Court in Sakiri Vasu Vs. State of U.P. and others, (2008) 2 SCC 409 and M. Subramaniam and another Vs. S. Janaki and another, 2020(2) RCR (Criminal) 788, in case of non-registration of an FIR, the remedy of the aggrieved person is not to approach this Court, but s/he is at liberty to approach the Magistrate concerned under Section 156(3) Cr.P.C.

In view of the above, the present petition is dismissed with liberty to the petitioner to avail his remedy in terms of the aforesaid judgments of the Hon'ble Supreme Court, if so advised.

22.08.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>