

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

112

**CRM-M-41723-2022**

**Date of Decision: September 13, 2022**

**VEENA RANI**

**...Petitioner**

**Versus**

**STATE OF PUNJAB AND OTHERS**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

**Present:-** Mr. Harsh Raheja, Advocate  
for the petitioner.

**AMAN CHAUDHARY, J.(Oral)**

On advance notice, Mr. Manipal Singh Atwal, DAG, Punjab appears on behalf of respondents-State and on instructions from Head Constable Ramesh Kumar, submits that petitioner has given a statement on 29.08.2022 before the Investigating Agency that she does not wish to pursue this case, which is produced in Court and the same is taken on record.

Learned counsel for the petitioner, however, disputes the factum of the statement having been made by the petitioner.

Heard the learned counsel for the State and perused the case file.

**In Sakiri Vasu vs. State. U.P. and others** (2008) 2 SCC 409

Hon'ble the Supreme Court has observed that in case a person has a grievance that FIR has not been registered by the police on his complaint or even after registration of the FIR, no proper investigation is held, he can file an application under Section 156(3) Cr.P.C. before the learned Magistrate concerned. The relevant para runs as follows:-

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**:2:**

“In this connection we would like to state that if a person has a grievance that the police station is not registering his FIR under Section 154 Cr.P.C., then he can approach the Superintendent of Police under Section 154(3) Cr.P.C. by an application in writing. Even if that does not yield any satisfactory result in the sense that either the FIR is still not registered, or that even after registering it no proper investigation is held, it is open to the aggrieved person to file an application under Section 156 (3) Cr.P.C . before the learned Magistrate concerned. If such an application under Section 156 (3) is filed before the Magistrate, the Magistrate can direct the FIR to be registered and also can direct a proper investigation to be made, in a case where, according to the aggrieved person, no proper investigation was made. The Magistrate can also under the same provision monitor the investigation to ensure a proper investigation.

In view of the above statement made by learned State counsel and also in view of the law laid down in the case of **Sakiri Vasu** (supra), no further order is required to be passed in the matter and the present petition stands disposed of as having been rendered infructuous.

However, the petitioner is at liberty to avail the alternative remedy available to him in accordance with law.

**September 13, 2022**

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**(AMAN CHAUDHARY)  
JUDGE**

Whether reasoned/speaking:

Yes/No

Whether reportable:

Yes/No