

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42801-2022

Date of Decision: 16.9.2022

Narinder Kaur and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr.S.K.Sandhir, Advocate for the petitioners

ASHOK KUMAR VERMA, J.

I have heard learned counsel for the petitioners and perused the paper-book.

The petitioners have filed this petition under Section 482 of the Cr.P.C. seeking directions to respondent no.3 to take action on the complaint dated 5.12.2021 (Annexure P-2) made by petitioner no.1 against respondents no.4 and 5. From a perusal of the complaint, it transpires that incident is alleged to have occurred on 27.11.2021 and thereafter on 3.12.2021. The petitioner has made the complaint in question to the SSP, SAS Nagar Mohali on 5.12.2021. After sleeping over the matter for about 10 months, the petitioners have approached this Court by filing this petition.

A party cannot approach the High Court under Section 482 of the Cr.P.C. at his/her whim and caprice merely because no period of limitation in filing the petition under Section 482 of the Cr.P.C. is provided. Normally, powers of the High Court under Section 482 of the Cr.P.C. should not be resorted to if there is an alternative remedy available for redressal of grievances to the aggrieved party. In

the matter in hand, the petitioners have an efficacious alternative remedy to approach the Illaqa Magistrate by filing a private complaint or by filing an application under Section 156(3) of the Cr.P.C. When the alternative remedy for redressal of grievances is available to the petitioners, it would be unjust and improper for this Court to exercise inherent powers under Section 482 of the Cr.P.C.

Dismissed.

(ASHOK KUMAR VERMA)
JUDGE

16.9.2022
MFK

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>