

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

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Crl. Misc.No.M-3950 of 2023
Date of Decision:- 25.01.2023

REENA GARG

....Petitioner

vs.

STATE OF PUNJAB AND OTHERS

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Siddharth Gupta, Advocate,
for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner seeks issuance of directions to the official respondents to lodge an FIR against the private respondents for trying to grab his property, and to protect the life, liberty and property of the petitioner from respondent Nos. 5 to 7.

Learned counsel for the petitioner has submitted that after the complaint was submitted, the matter was investigated by Deputy Superintendent of Police, Rampura Phul and he has submitted a detailed report dated 19.05.2022 recommending the registration of an FIR, yet, the same has not been done till today. Thus, the official respondents be directed to submit a status report.

If the prayer of the petitioner is granted, it would ultimately result in registration of an FIR and for such relief, petition under Section 482 Cr.P.C. is not maintainable as has been held by the Supreme Court in ***Sakiri Vasu vs. State of U.P. and others, 2008 (1) RCR (Criminal) 392.***

Thus, direction as prayed for cannot be issued.

The petition is accordingly dismissed. However, respondent No.2 is directed to ensure that the life, liberty and property of the petitioner is protected.

January 25, 2023
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned Yes

Whether Reportable No