

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-4952-2020
Date of Decision: 03.05.2023

LINA NARJINARI AND ANR

... Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Ms. Reena Rai, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for seeking issuance of a writ in the nature of mandamus directing the respondents to register FIR on the basis of complaint dated 04.09.2019 (Annexure P-2).

Learned State Counsel has apprised that the petitioner had filed a complaint bearing CIS No.COMI-528-2019 titled as Lina Narjinari Vs. State of Haryana and others under Section 156(3) of the Cr.P.C. for registration of case itself. It is further submitted that once the petitioner has already availed the remedy for redressal of her grievance in accordance with law, the present petition ought not to be entertained.

The abovesaid factual position has not been denied or disputed by the learned counsel for the petitioner.

Taking into consideration that a complaint under Section 156(3) of the Cr.P.C. has already been filed by the petitioner before the Illaqa Magistrate, there is no reason as to why a simultaneous petition ought to be entertained by this Court on the same cause of action.

Accordingly, without expression of any opinion on the merits of the case, the present petition is disposed of at this stage with liberty to the petitioner to pursue her complaint already filed before the Illaqa Magistrate.

Any other misc. application(s) also stand(s) disposed of accordingly.

03.05.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No