

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

**CRM-M-9097-2023
DECIDED ON: 21.02.2023**

MUKESH KUMAR RATHEE

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. S.S. Mamli, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 482 Cr.P.C., for directing the official respondents to register FIR against private respondent No.4 and to take appropriate action against him as he has committed the cognizable offence and the information has already been given to the official respondents.

Learned counsel for the petitioner has contended that a representation to that effect was moved on 02.02.2023 (Annexure P-4), to the Superintendent of Police, Gurugram, but no action has been taken thereupon. A perusal of para 8 of the said representation clearly reflects that the petitioner is deriving attention to the case law of '*State of Haryana and others versus Chaudhary Bhajan Lal and others*', 1992 AIR 604, '*Lalita Kumari versus State of U.P., and others*', 2012, SC 1515, seeking the said relief.

However, this Court was not inclined to issue direction at this stage, since an alternative efficacious remedy is already available in law. Though, faced with the above situation, learned counsel for the petitioner confines his prayer only to take a decision on the representation (Annexure P-4), within a time bound manner.

In the light of the above, Superintendent of Police, Gurugram is directed to consider and decide the representation in the light of judgments referred hereinabove, within a period of two weeks from today, by passing a speaking order, copy whereof be supplied to the petitioner within a period of one week thereafter.

Disposed of in the abovesaid terms.

(SANDEEP MOUDGIL)
JUDGE

21.02.2023

Poonam Negi

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