

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

CRM-M-30263-2019

DATE OF DECISION:-31.01.2023

Pratap Singh

...Petitioner.

V.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. D.S. Virk, Advocate,
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.p.C., prayer has been made for issuance of direction to the official respondents to take legal action against private respondents No.5 and 6 for having submitted forged documents in order to draw benefit of Pardhan Mantri Awas Yojana.

Learned counsel for the petitioner submits that vide communication dated 07.12.2018 issued by the office of Assistant Deputy Commissioner Fatehabad, the Superintendent of Police, Fatehabad was requested to take legal action against private respondents but to no effect.

In pursuance to notice of motion, official respondents submitted their reply stating that an alternate and more efficacious remedy in law as provided under Section 156 (3) Cr.P.C. is already available with the petitioner. In addition, the official respondents also submitted that the amount received by the private respondents under the aforementioned Yojana on account of some bonafide mistake already stands deposited by

them with the authority concerned, who have requested not to take any action against the private respondents.

Considering the fact that a civil dispute is going on between the petitioner & private respondents as regards some land forming part of Khasra No.497, which appears to be the main cause of present proceedings they being vindictive against each other and particularly in the given facts, the amount already having been returned back by the private respondents to the authorities concerned, coupled with the fact that the concerned authorities have also requested not to initiate action against the private respondents, I do not deem it appropriate to invoke jurisdiction vested under Section 482 Cr.P.C. particularly when an equally efficacious remedy under Section 156 (3) Cr.P.C. is available to the petitioner.

Accordingly, the present petition stands disposed of.

31.01.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No