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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34013-2023 (O&M)
Date of decision: July 17, 2023

Jasbir Singh
.....Petitioner
versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. S.P. Soi, Advocate
for the petitioner.

Mr. Dhruv Dayal, Add itional A.G. Punjab.

ARUN MONGA, J. (ORAL)

This is a petition under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') *inter alia* seeking issuance of directions to the official respondents for conducting fair and proper investigation in complaint/representation dated 14.10.2021 (Annexure P-1).

2. Learned counsel for petitioner contends that private respondents duped the petitioner who sold his property when he was not in India being an NRI. Petitioner submitted a representation dated 14.10.2021 (Annexure P-1) to respondent No.2, but to no avail.

3. Heard.

4. In my opinion, the petitioner ought to have first approached learned *Ilaqa*/Area Magistrate under Section 156 (3) Cr.P.C for redressal of his grievance, if any, before directly approaching this Court. Section 156 (3) *ibid* empowers a Magistrate to ensure proper investigation. Even otherwise,

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ordinarily, in case of a grievance arising out of non-registration of an FIR, the aggrieved can seek recourse to remedy by approaching Superintendent of Police under Section 154(3) Cr.P.C. or any other competent police officer per Section 36 Cr.P.C. Even thereafter, if grievance is yet unmitigated, one can then take judicial recourse by approaching a Magistrate of competent jurisdiction under Section 156(3) Cr.P.C. Not only that, an aggrieved party can choose to file a criminal complaint under Section 200 Cr.P.C., if so advised. Reference may be had to Apex Court judgment in *Sakiri Vasu versus State of U.P and others*¹.

5. In the premise, instant petition is dismissed. The petitioner is, however, at liberty to approach the appropriate forum for redressal of his grievance, as aforesaid.
6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

July 17, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No

¹2008 (2) SCC 409