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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRWP-7766-2023 (O&M)****Date of decision: 07.08.2023**

Paramdeep Singh Sahota

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Rishabh Singla, Advocate for petitioner.

Mr. Dhruv Dayal, Additional AG Punjab.

ARUN MONGA, J. (ORAL)

This is a petition under Section 482 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') seeking issuance of directions to the official respondents to protect the life and liberty of petitioner at the hands of private respondents.

2. Learned counsel for the petitioner contends that respondent No.4 is the owner of the house in question. Petitioner along with his family was inducted as tenant. Respondent No.4 filed a petition under Section 24 of Punjab Rent Act, 1995 for recovery of immediate possession/ejectment of the demised premises. Petitioner has been granted 3 months' period to vacate the same but respondents are giving threats to the petitioner and his family. Petitioner moved his complaint/representation dated 16.05.2023 (Annexure P-3) to respondent No.3. but to no avail. Hence, the instant petition.

3. Notice of motion.

4. Mr. Dhruv Dayal, Additional AG Punjab appears on service of advance copy of petition and accepts notice on behalf of State of Punjab.

5. 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, 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 others¹**.

6. 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.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

07.08.2023
vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No