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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CRM-M-49272-2023(O&M)****Date of decision: 04.10.2023**

Balkar Singh

....Petitioner

versus

State of Punjab and others

....Respondents

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

Mr. Dhruv Dayal, Additional AG Punjab.

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**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 respondent No.1 for conducting fair and impartial inquiry in case FIR No.52 dated 13.04.2023 under Sections 365, 325, 323, 506 and 148 read with Section 149 of IPC, registered at Police Station Guruharshai, District Ferozepur.

2. Learned counsel for the petitioner contends that the present FIR was registered on the statement of the petitioner on 17.01.2023. He had stated that while the petitioner was returning to his village after completing his work as mason, the private respondents, who were in drunken condition stopped him on his way and inflicted injuries with their weapons after tying him to a pole.

3. Notice of motion.

4. Learned State counsel appears on service of advance copy of petition and accepts notice on behalf of State of Punjab. He opposes the petition arguing that matter is at investigation stage and law will take its own course.

5. In my opinion, the petitioner ought to have availed other available legal remedies for redressal of his grievance, before directly approaching this Court.

Ordinarily, in case of a grievance arising out of unfair or improper investigation of an

superior in rank as per Section 36 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<sup>1</sup>**.

6. In the premise, instant petition is disposed of. 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

04.10.2023  
Jyoti Thakur

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No