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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-49483-2023 (O&M)****Date of decision: 29.09.2023**

Jaswinder Kaur and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Karanjeet Singh Brar, Advocate for petitioners.

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 take strict legal action against the private respondents and also for conducting fair and proper investigation.

2. Learned counsel for the petitioners contends that they are the elected panches, private respondent No. 5 is the sarpanch and private respondent No. 4 is the Principal of the village school. The private respondents formed a Managing Committee to utilize the funds for school received from the Government. They misused their power and forged the signatures of petitioners to show that petitioners were also present during the meeting of the committee. Fact is that the petitioners never signed any document written under the name of the abovesaid committee. He further submits that by doing the illegal act not only private respondents have cheated the petitioners, even they are trying to misuse the Govt. funds which were disbursed for the betterment of primary school. Petitioners moved their complaint/representation dated 09.09.2023 (Annexure P-1) to SSP i.e. respondent No.2 and representation to Deputy Commissioner on 21.06.2023 (Annexure P-2), but to no avail.

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. Be that as it may, in my opinion, the petitioners ought to have availed other available legal remedies for redressal of their grievance, before directly approaching this Court. Ordinarily, in case of a grievance arising out of unfair or improper investigation of an FIR, the aggrieved person can seek recourse to remedy of approaching police officer superior in rank as 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. who can order investigation and submission of report by police. 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.

6. In the premise, instant petition is dismissed. Petitioners are, however, at liberty to approach the appropriate forum for redressal of their grievance, as aforesaid.

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

(ARUN MONGA)
JUDGE

29.09.2023
Jyoti Thakur

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No