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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**CRM-M-52467-2023 (O&M)****Date of decision: 16.10.2023**

Sukhpartap Singh

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA**Present:-** Mr. Sandeep Wadhawan, Advocate for petitioner.
(Presence marked through video conferencing)

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 official respondents No. 1 to 6 to register a criminal case under the Prevention of Corruption Act against respondents No.7 to 9, who are police officials of Police Station, Jandiala Guru for demanding bribe from the petitioner for the purpose of conducting passport verification of petitioner and to take all necessary steps to get the guilty people punished by arresting them as per law.

2. Learned counsel for the petitioner contends that in the month of July, 2023, petitioner submitted an application for renewal of his passport and thereafter on August 02, 2023, police officials of P.S. Jandiala Guru in Amritsar Rural visited the house of petitioner and conducted an inquiry with regard to the passport application. On August 15, 2023, when petitioner asked about the status of his passport inquiry, respondents No.8 and 9, who are constables of Jandiala Guru Police Station informed him that his passport inquiry has been stopped by respondent No.7 for want of money. Accordingly, respondents No.7 and 8 demanded a sum of Rs.4000/-. Petitioner paid Rs.2000/- in cash and Rs.2000/- through google pay. Petitioner was constrained to move a criminal complaint along with entire evidence of having paid the above said

bribe amount on the online portal of vigilance bureau, Punjab. Apart from this, petitioner also filed a complaint on WhatsApp number of Hon’ble Chief Minister, Punjab, but to no avail. Petitioner submitted various representations but in vain. Hence the instant petition.

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.
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 non-registration of FIR or 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 others¹**.
6. In the premise, instant petition is dismissed. 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

16.10.2023
vandana

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