

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M- 1327-2019
Date of Pronouncement:25.04.2024

SUMAN **...Petitioner**

VERSUS

STATE OF PUNJAB AND OTHERS **...Respondents**

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. J.S. Rattu, DAG, Punjab

Mr. Illyas Khan, Advocate
for respondent No.4.

SANDEEP MOUDGIL, J.(ORAL)

1. Mr. Illyas Khan, Advocate has put in appearance on behalf of respondent No.4 and filed Memorandum of Appearance. The same is taken on record.
2. Petitioner has preferred the present petition under Section 482 Cr.P.C. seeking direction to respondent No.2-Senior Superintendent of Police, SAS Nagar (Mohali) to register an FIR, whereby application dated 04.10.2018 (Annexure P-7) was considered and the same stands declined with the observation that it was a dispute of civil nature and no criminal liability can be fastened.
3. Heard, learned counsel for the parties.
4. The prosecution story as put forth before this Court in the instant petition would reveal that the petitioner had made full payment to respondent No.4 -Taranjit Singh, Builder, to hand over the commercial plot but till date, no commercial plot has been handed over to the petitioner despite repeated requests.

5. This Court after having gone through the pleadings and having considerable thoughts to the submissions made by Mr. Navkiran Singh, Advocate for the petitioner, various other alternative remedies are available for redressal of the grievance, such are as under:

- (i) The petitioner can approach the Consumer Court for deficiency of service to seek compensation.
- (ii) He can approach Real Estate Regulatory Authority for this purpose against the coloniser for cancellnig the licence in which he was authorised to establish the colony.
- (iii) If the police has wrongly rejected the application to register an FIR, the petitioner can approach the competent authority under Section 156(3) Cr.P.C..
- (iv) Apart from that civil liability thereto he can seek respondent No.4 to fulfill his part of liability as enshrined in the agreement executed between the petitioner and respondent No.4, at the time of purchasing of commercial plot.

6. In the light of the above, Mr. Navkiran Singh, learned counsel for the petitioner, seeks to withdraw the instant petition with liberty to avail the remedies, as observed, herein above.

7. Allowed to do so.

8. The instant petition is accordingly disposed of.

(SANDEEP MOUDGIL)
JUDGE

25.04.2024
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1. *Whether speaking/reasoned?*

Yes/No

2. *Whether reportable*

Yes/No